

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-7491-2021

Date of Decision:20.02.2023

Saudagar Din

...Petitioner

VS.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S. Shekhawat

Present : Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner had filed the present petition for issuance of a writ in the nature of Habeas Corpus for release of detainee, namely, Jasmine, minor from the illegal custody of respondents No.5 to 13.

On the last date of hearing, respondent No.4 was directed to produce the alleged detinue, Jasmine, minor before this Court on the adjourned date.

In compliance of the last order, a status report by way of an affidavit of Senior Superintendent of Police, Patiala District Patiala has been filed on behalf of respondent No.2 and the same is taken on record.

Learned State counsel submits that one FIR No.49 dated 01.05.2021 under Sections 363, 366-A of IPC was registered at Police Station Banur, District Patiala against respondent No.5.

Learned State counsel further submits that a final report under Section 173 of Cr.P.C. has been presented against respondent No.6 in

competent Court and the respondent No.5 has been declared as proclaimed offender vide order dated 06.07.2022 by the Court of Learned JMIC, Rajpura. He further submits that a Special Investigation Team has been constituted for investigation of the present case and the Deputy Superintendent of Police, Sub-Division Rajpura, District Patiala is heading the said team and the matter shall be investigated thoroughly and fairly.

He further submits that the detenue has been recovered on 10.02.2023 and her statement under Section 164 Cr.P.C has been recorded by the Court of Learned JMIC, Rajpura. He further submits that the offence under Section 376 of IPC and offence under Section 4 of POCSO Act have been added in the present FIR.

As per learned State counsel, the alleged detenue, namely, Jasmine is at present staying with her mother. Even today during the Court proceedings the alleged detenue, namely, Jasmine is present in Court along with her mother and she wants to stay with her mother.

Consequently, the custody of Jasmine, minor is handed over to her mother.

In view of these submissions, no further orders are required and the petition stands disposed off accordingly.

(N.S.SHEKHAWAT)
JUDGE

20.02.2023
hitesh

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No