

217 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRWP-11781-2023

Date of decision: 16.12.2023

SANDEEP KUMAR

...PETITIONER

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mukesh Yadav, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

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**HARPREET SINGH BRAR J. (ORAL)**

Present petition has been filed under Article 226 of Constitution of India seeking issuance of directions in the nature of Habeas Corpus directing the respondent Nos.2 and 3 to locate the whereabouts of wife of the petitioner and release her from the illegal custody of respondent Nos.4 and 5.

2. Mr. Parveen Chauhan, Advocate has put in appearance on behalf of respondent Nos.4 and 5 and filed his *vakalatnama* which is taken on record.

3. Service is complete.

4. On 05.12.2023, the following order was passed:

*Present petition has been filed under Article 226 of Constitution of India seeking issuance of directions in the nature of Habeas Corpus directing the respondents No. 2 and 3 to locate the whereabouts of wife of petitioner and release her from the illegal custody of respondents No. 4 and 5.*

*Notice of motion.*

*Mr. Vikas Bhardwaj, AAG Haryana, who is present in the Court accepts notice on behalf of respondents No. 1 to 3 and seeks time to file status report.*

*Adjourned to 16.12.2023.*

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5. Learned State counsel has filed the status report dated 14.12.2023 by way of an affidavit of Mohammad Jamal, HPS, Deputy Superintendent of Police, Kanina, District Mahendergarh on behalf of respondent Nos.1 to 5, which is taken on record. Learned State counsel, further on instructions from HC Sunil Kumar, submits that the statement of the alleged detainee was recorded under Section 164 Cr.P.C., by the learned Sub Divisional Magistrate, Kanina.
6. In the statement made before the learned Sub Divisional Magistrate, Kanina as well as the police authorities, the detainee deposed that she is presently residing at the house of her parents with her own consent.
7. In view of the categorical stand taken by the alleged detainee, no further direction is required to be issued in the present case.
8. Disposed of accordingly.

December 16, 2023  
*manisha*

(HARPREET SINGH BRAR)  
JUDGE

- |      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |