

2023:PHHC:162802

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRWP-11877-2023

Date of Decision : **December 19, 2023**

HIMANSHU AGGARWAL

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.K.Tripathi, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, prayer is made to invoke the writ of Habeas Corpus as the petitioner alleged that his wife and children has been kidnapped by respondents No.4 to 6.

2. On the last date of hearing, this Court has passed the following order:-

“Learned counsel for the petitioner submits that the detinue Priya Jindal, his legally wedded wife, has been detained by her parents.

Considering the fact that the detinue is stated to be living with her parents, at this stage only direction is given to respondent No.2 to locate the girl and record her statement and thereafter submit a status report before this Court on 19.12.2023.

To be shown in the urgent list.

Let the copy of this order be handed over to the learned counsel for the State under the signatures of the Court Secretary enabling him to comply with the

order made today.”

3. Today, in compliance of the directions issued by this Court, a status report by way of affidavit sworn by the Commissioner of Police, Faridabad has been filed. The same is taken on record.

4. As per the directions, the statement of the wife of the petitioner, wherein, she has categorically stated that she is living with her parents voluntarily with free will and without any coercion. The various other allegations have been levelled by the alleged detainee i.e. wife of the present petitioner.

5. Be that as it may, this Court is not inclined to go into the disputed questions of facts, as it is clear from the statement of the alleged detainee that she is not detained by respondents No.4 to 6.

6. In view of the above facts, finding it difficult to make out a case of a Habeas Corpus, the learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to approach the appropriate Court for the redressal of his grievance.

7. The asked for liberty is granted.

8. The present petition is dismissed with aforesaid liberty.

9. Anything observed hereinabove would not be considered at all for deciding any motion moved by the present petitioner.

(KULDEEP TIWARI)

JUDGE

December 19, 2023

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No