

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CRWP-583-2024

Date of Decision : 20.01.2024

A NAZNI

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Mazlish Khan, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. The instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of 'Habeas Corpus' directing the official respondents to produce the detenue Nurul Huda, who is alleged to be in the illegal custody of respondents no.4 and 5.
2. Earlier this Court had disposed of the habeas corpus petition as preferred by the petitioner, on the same cause of action, vide order dated 02.01.2024 (bearing no.CRWP-12605-2023), as the warrant officer so appointed by this Court, could not locate the girl (alleged detenue) at the alleged place of detention. Through the instant petition the petitioner, who belongs to the State of Karnataka, again submits that her daughter is still in the detention of respondents no.4 and 5 and FIR has also been registered against respondent no.4, under the provisions of The Protection of Children from Sexual Offences Act (POCSO), 2012, in which proceedings are pending the learned trial Court at Karnataka.

3. A perusal of the present petition further reveals that in fact the alleged detainee/minor daughter of the petitioner is not in any illegal custody, rather she has performed marriage with respondent no.4 and this Court had vide order dated 11.07.2023, directed the official respondents to provide adequate security to the alleged detainee and respondent no.4.

4. This Court has considered the plea(s), as raised by learned counsel for the petitioner, however, does not find enough reasons to again invoke the writ of habeas corpus, on the same cause of action. The FIR (*supra*) is also stated to be registered in the State of Karnataka and the local police authorities/Courts of Karnataka State has the jurisdiction to proceed in the FIR (if any) registered against respondent no.4.

5. Faced with the above difficulty, learned counsel for the petitioner seeks permission of this Court to withdraw the instant petition.

6. Permission granted.

7. The instant petition stands dismissed as withdrawn.

January 20, 2024

dharamvir/ajay-1

(KULDEEP TIWARI)
JUDGE

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