

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(127)

CRWP-3060-2024
Date of Decision:-15.04.2024

MOHD SAJID

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mohd. Arshad, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Aazam Khan, Advocate for
Mr. Nafees Ahmed Khan, Advocate for respondents.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for issuance of writ in the nature of habeas corpus for release of detenue-Saishta, wife of the petitioner from the custody of respondents No. 4 to 6 who are none other than the family members of the detenue.
2. In compliance of order dated 08.04.2024, the State counsel has filed the status report by way of an affidavit of Mr. Ajaib Singh, HPS, Deputy Superintendent of Police, Headquarter, District Nuh on behalf of respondents No. 1 to 3 along with the statements of the parents of the detenue who have submitted that they have no objection to the relationship of petitioner with the detenue, however, the petitioner be bound down to

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stand by his commitment of depositing a sum of Rs. 5,00,000/- and transferring the property in the name of the detenue as per the copy of *Ikrarnama* submitted by him in Court today.

3. Learned counsel for the petitioner submits that in compliance of order dated 08.04.2024 he has brought the demand draft of Rs. 3,00,000/- in favour of the detenue and has also executed an *Ikrarnama* to transfer 06 kanals as detailed in the said document.

4. In light of the above, the present petition stands disposed of and the detenue be released in the custody of the petitioner albeit on the following conditions:

- i. The petitioner shall submit the proof of deposit of Rs.3,00,000/- in favour of the detenue.
- ii. The petitioner is directed to deposit a sum of Rs. 1,00,000/- within one month from today and qua the balance amount of Rs. 1,00,000/-, he be granted one month thereafter.
- iii. The petitioner shall also deposit the documents of transfer of ownership in favour of the detenue in this Court within one month from today.

5. The petitioner shall deposit the certified copy of the transfer of property as well as the bank statement demonstrating the transfer of the abovementioned amounts in the favour of the detenue to the concerned SHO, who shall verify the same.

6. The Chandigarh Police and Nari Niketan, Sector 26, Chandigarh are directed to release the detenue in the custody of petitioner after following all the formalities.

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7. However, liberty is granted to the parents of the detenue to approach the SHO, in case, the petitioner fails to comply with the undertaking given by him before this Court.

(ALOK JAIN)
JUDGE

April 15, 2024
Parul

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