

2024:PHHC:061607

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

**225 CRWP-3938-2024
DATE OF DECISION: 03.05.2024**

SARUP

...PETITIONER

Versus

STATE OF HARYANA AND OTHERS ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Munfaid Khan, Advocate for the petitioner(s).
Mr. Chetan Sharma, DAG, Haryana.
Mr. Saurav Bhatia, Advocate for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed for issuance of writ in the nature of Habeas Corpus directing the respondents No. 2 and 3 for appointing a warrant officer to get release the detenue namely Sakunat from the illegal custody of private respondents.

Enquiry report by way of an affidavit of Rattan Singh, Inspector, Station House officer, Police Station Nagina, District Nuh has been filed on behalf of respondent No.3, the same is taken on record.

The relevant paragraphs of the report is reproduced below :-

'5.That it is also pertinent to mention here that during further course of an enquiry, victim Sakunat as well as private respondents were joined in the enquiry proceedings and recorded their statements. The victim has categorically stated that the petitioner/accused in connivance of his co-accused, committed heinous crime of kidnapping against the prosecutrix and he has committed rape upon victim against her wishes. A copy of her statement recorded by the police in the present case is annexed as Annexure R-1.

8. That the victim Sakunat has also specifically conducted about her story of her woe without any influence and at her free will and volition. She has also specifically contended that she is now residing with her parents happily. A copy of the enquiry report is annexed as Annexure R-2. '

In view of the above and having gone through the statement of alleged detainee Sakunat dated 01.05.2024 wherein it has been stated that she is living with her parents without any pressure or coercion. Apart from that, learned State Counsel on instructions from SI Abdul Jagar has informed the Court that FIR No. 130 dated 29.03.2024 under Sections 376-D/366/342/506 IPC has been registered in P.S. Nogaon, District Alwar already has been registered against the petitioner.

Hence, the present petition is devoid of any merits, consequently, the same is dismissed.

(SANDEEP MOUDGIL)
JUDGE

03.05.2024

anuradha

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*