



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

**CRWP-4461-2024 (O&M)
DECIDED ON: 03.07.2024**

FATIH CHAND

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amit Kashyap, Advocate
for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

Mr. R.S. Mamli, Advocate
for respondents No.4, 7 and 8.

SANDEEP MOUDGIL, J (ORAL)

CRM-W-816-2024

This is an application seeking direction to respondents No.1 to 3 for recording of the statement in the present matter by producing the alleged detainee girl in the Court for proper adjudication of the matter.

While hearing this application, Mr. R.S. Mamli, learned counsel for respondents No.4, 7 and 8 has produced a copy of order dated 20.06.2024, whereby the petitioner Fatih Chand has sought a direction for protection of his life and liberty along with his family members. The said matter was disposed of with a direction to respondent No.2-Superintendent of Police to look into the matter and decide the representation dated 31.05.2024 within a period of two weeks from the date of receipt of the certified copy of this order.

Mr. Mamli has further produced a copy of statement recorded before the Magistrate under Section 164 Cr.P.C. of Manpreet Kaur daughter of Sh. Kulwant Singh, aged 18 years, resident of village Hussainpur Dulewal, Tehsil Sultanpur Lodhi, District Kapurthala, Punjab, wherein it is stated as under:-

“It is stated that name of my mother is Seema Devi and I was sent to the house of Fatih Chand two years back to do the work as a maid by my parents. I was working as maid at the house of Fatih Chand and thereafter I came back to my parents house. I am presently living with my maternal uncle Manjit Singh for the last one month. I have no problem or any difficulty at the house of my maternal uncle and now I want to go back to the house of my parents and I may not being troubled and harassed by any person in any manner whatsoever.

An attested copy of the said statement has also been produced from the Court of Magistrate i.e. SDJM, Tohana, which is taken on record as documents A and B respectively.

In the light of above, this Court has no reason to disbelieve the statement of the alleged detainee which has been recorded under Section 164 Cr.P.C. before the Magistrate to the aforesaid effect wherein she has shown her willingness to stay with her parents categorically stating that she has not been harassed by any person in the family in any manner whatsoever.

In the light of above, nothing survives in the instant application and the same is dismissed.

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In the light of above, this Court does not find any further interference for issuance of a writ in the nature of Habeas Corpus to get release the alleged detainee from the alleged wrongful confinement of respondents No.4 to 8.

The present petition is therefore, dismissed having no merits.

03.07.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No