

2024:PHHC:081671



236.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.6013 of 2024
Date of decision: 02.07.2024

Mustkeem Petitioner

Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Mazlish Khan, Advocate, for the petitioner.
Mr. Yuvraj Shandilya, AAG, Haryana.
Mr. Jamshed Ahmed, Advocate, for respondents No.4 to 6.

GURBIR SINGH, J. (Oral)

1. *Vakalatnama* filed on behalf of respondents No.4 to 6 in Court today, is taken on record.
2. Vide order dated 26.06.2024, the coordinate Bench of this Court passed the following order:-

“Learned counsel for the petitioner places on record translated copy of marriage certificate, which is taken on record, subject to all just exceptions.

This is a petition filed under Article 226 of the Constitution of India for issuing direction in the nature of habeas corpus with prayer to produce the detinue namely Bilkish, claimed to be legally wedded wife of petitioner, from the illegal custody of respondents No.4 to 9 and to release her forthwith with further direction to respondent No.3 to record

the statement of detainee namely Bilkish and set her at liberty to go to the places of her wishes.

It is inter alia contended by the petitioner that his marriage was solemnized with detainee namely Bilkish on 16.06.2024 against the wishes of the parents/private respondents No.4 to 9. It is also alleged that private respondents prepared a false Nikahanama with someone else without taking any consent from the detainee nor she has given any such consent. It is further claimed that on 23.06.2024 at about 10:00 p.m. wife of the petitioner was forcibly taken in custody by private respondents illegally and since then she is in their illegal custody. The petitioner made the complaint to the police and also telephonically informed them to take immediate action and recover his wife (detenue), but till date no action has been taken neither his wife (detenue) has been recovered. It is stated that the petitioner has great apprehension that the private respondents may not have eliminated the detainee/wife of the petitioner.

Heard.

At the outset, learned counsel for the petitioner submits that he restricts his prayer to the effect that respondents No.2 to 3 be directed to record statement of detainee namely Bilkish and produce her in this Court.

According to the averments contained in the petitioner and as per the marriage certificate, the age of the detainee is 23 years and she is major.

Notice of motion for 02.07.2024.

In view of the prayer made by the petitioner, respondent No.3-SHO, Police Station Tauru, District Nuh is directed to record the statement of detainee Bilkish touching the contents

of the petitioner and produce her before this Court on the date fixed.

Respondent No.3-SHO, Police Station Tauru, District Nuh is also directed to bring her parents in the Court on the date fixed.”

3. Pursuant to aforesaid order dated 26.06.2024, the alleged detenue Bilkish is present in Court. She submits that she wants to reside with her parents. Her statement is also recorded before the police on 01.07.2024, which is taken on record.

4. At this stage, learned counsel for the petitioner submits that the matter has been amicably settled between the parties and he seeks to withdraw the present petition.

5. Dismissed as withdrawn.

(GURBIR SINGH)
JUDGE

July 02, 2024
sanjeev

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No