



CRWP-6584-2024(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.110+215

Case No. : CRWP-6584-2024(O&M)

Date of Decision : August 14, 2024

Abhishek

.... Petitioner

vs.

State of Haryana and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Sandeep Tanwar, Advocate
for the petitioner.Mr. Gurmeet Singh, AAG, Haryana, Advocate
for the respondent.Mr. Sahil Gupta, Advocate
for respondents no.5 to 7.

* * *

GURBIR SINGH, J. :

1. CRM-W-968-2024 : The present application has been moved under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), for placing on record the text messages and chat (Annexure P-3), sent by the detainee namely Manshi to the petitioner. For the reasons mentioned in the application, the same is allowed and Annexure P-3 is ordered to be taken on record, subject to all just exceptions.

2. Main Case : Learned counsel for the petitioner has submitted that the detainee has sent the messages from the mobile phone of her father that she was under pressure, when appeared before the Court. She wanted to live with the petitioner. Next time, when she would come to the Court, she

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would make statement in his favour. It has further been submitted that the life of the detenue might be in danger. So, detenue be got produced in the Court.

3. On the other hand, learned State counsel has submitted that the detenue was produced in the Court but she made statement that though she had performed marriage with the petitioner but she was voluntarily residing with her parents at Rewari. She was not pressurized or influenced to make statement in the Court.

4. I have heard the submissions of learned counsel for the parties and have also gone through the case file.

5. The present petition was moved for issuance of a writ in the nature of Habeas Corpus for releasing the detenue namely Manshi (wife of the petitioner). It was stated in the petition that the petitioner had performed marriage with the detenue on 08.07.2024. After performing marriage, on 09.07.2024, when they were coming from Rohtak to Chandigarh, on the way, respondents no.5 to 7 along with some other persons, caught hold of them and gave merciless beatings to the petitioner and detenue Manshi. This Court, vide order dated 11.07.2024, directed Superintendent of Police, Rewari, to depute some Gazetted Police Officer to locate Manshi and to produce her in the Court on 16.07.2024. On the said date, detenue Manshi was produced in the Court by Deputy Superintendent of Police Pawan Kumar, along with ASI Nitu. On asking, detenue Manshi submitted that she had performed marriage with the petitioner. She was not pressurized or influenced to make statement in the Court. She wanted to reside with her

parents at Rewari and did not want to reside with the petitioner.

6. Since detainee Manshi is residing with her parents at her home and Annexure A-3 does not convey in any manner that life of Manshi is at risk or she has been detained by her parents against her will, so, no further action is called for on the present petition and the same is accordingly disposed of. However, there would not be any bar for the petitioner to proceed against detainee Manshi for the restitution of conjugal rights or avail any other alternative remedy, that may be available to him, in accordance with law.

7. The present petition stands disposed of in the above terms.

8. Pending applications, if any, shall stand disposed of along with this judgment.

August 14, 2024

monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.