



CRWP-9543-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(244)

CRWP-9543-2024  
Date of Decision : 21.10.2024

Rajesh Kumar ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Manoj Tanwar, Advocate  
for the petitioner.  
  
Mr. Abhinash Jain, DAG, Haryana.

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KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Article 226/227 of the Constitution of India, for issuance of a writ in the nature of habeas corpus, the petitioner seeks release of his wife-Annu and son-Ravi, who are allegedly stated to be in illegal custody of respondent No.5.
2. This Court, on dated 01.10.2024, had passed the hereinafter extracted order :-

*“1. Through the instant writ of habeas corpus, as filed under Article 226/227 of the Constitution of India, the petitioner seeks release of his wife-Annu and son-Ravi from the illegal custody of the respondent No.5.*

*2. The learned counsel for the petitioner inter alia submits that, consequent upon solemnization of marriage by the petitioner and his wife (Annu), they were blessed with a son (Ravi). However, when the petitioner failed to fulfill the demand of ₹ 10 lacs, as raised by his mother-in-law, the latter sold the petitioner's wife and their son to the*



*respondent No.5.*

*3. Notice of motion to the official respondents only.*

*4. Mr. Rajesh Gaur, Addl. A.G., Haryana, waives service of notice on behalf of the respondents No.1 to 4.*

*5. In view of the above made submissions, a direction is passed upon respondent No.4- Station House Officer concerned, to locate both the alleged detenues, and thereupon, to get the statement of the alleged detainee-Annu, under Section 183 of BNSS, recorded before the learned Chief Judicial Magistrate/Duty Magistrate/Illaq Magistrate concerned.*

*6. After recording the statement of the alleged detainee-Annu, the learned Magistrate concerned shall pass an appropriate order in accordance with law.*

*7. The Station House Officer concerned is also directed to file detailed status report in this regard, on or before the next date of hearing.*

*8. List on 16.10.2024.”*

3. In deference to the directions issued by this Court, on dated 01.10.2024, short reply dated 20.10.2024, by way of affidavit of Mr. Surender Sheoran, HPS, Deputy Superintendent of Police, Bawal, District Rewari, on behalf of the respondents No.3 and 4, along with the statement of detainee-Annu (Annexure R-1), furnished by the learned State counsel, today in the Court. The same is ordered to be taken on the record. Copy thereof, supplied to learned counsel for the petitioner.

4. In the reply (supra), it is mentioned that the alleged detainee-Annu, was produced before the Magistrate concerned, and he recorded her statement under Section 164 of Cr.P.C. The relevant extract of the statement (Annexure R-1), reads as under :-

*“Question: What do want to say?*

*Answer: My marriage got solemnized with Rajesh son of*



*Om prakash in 2015. That since very early days he did not treated me well and used to beat me and also used to tourcher me. That he demanded motor-cycle at the occasion of birth of the child. That my father had already expired and I also do not have any brother. My mother is not well. We were not in any position to give the Motor cycle. That after consuming liquor he also used to give me electric shock. He also used to file false cases of steeling etc against me. Kindly let me live somewhere.”*

5. In view of the above, learned counsel for the petitioner submits that he does not wish to press the instant petition, and seeks liberty to avail alternate remedy/ies, if any grievance persists.
6. Accordingly, the instant petition is **dismissed**, as not pressed, with the liberty as aforesaid.

(KULDEEP TIWARI)  
JUDGE

October 21, 2024  
Manpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No