

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

112-CRWP-12575-2023 (O&M)

Date of decision: 05.01.2024

Deepak Kumar & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Suraj Bhan Panchal, Advocate for the petitioners

Mr. Baljinder Singh, Sr.DAG Haryana

Sandeep Moudgil, J.

This writ petition has been filed under Article 226 of the Constitution of India directing the official respondents NO.2 & 3 to take action on the representation dated 25.12.2023 (Annexure P3) for protecting the life and personal liberty of the petitioners.

In pursuance to the order dated 28.12.2023, both the petitioners are present in Court. Vakalatnama has been filed by Mr. Deepak Jaglan, Advocate on behalf of respondents No.4&5, who are brother and brother-in-law (jija) of petitioner No.2. The same is taken on record.

The petitioner No.2 – Jyoti is present in Court, who admittedly is 17 years and 10 months of age demonstrating that she is a minor and cannot give consent for marriage at this age.

It is also informed by learned State counsel, on instructions from SI Balinder Singh, that FIR No.436 dated 24.12.2023 under Section 363/366-A IPC has been registered against petitioner No.1 at Police Station Sadar Pehowa, Kurukshetra.

Faced with this situation and after arguing at length for some time, learned counsel seeks to withdraw the present petition.

Ordered accordingly.

Dismissed as withdrawn, as prayed for.

The Investigating Officer present in Court has undertaken to hand over the custody of the girl, namely, Jyoti – petitioner No.2 to her brother and brother-in-law – respondents No.4 & 5, forthwith.

05.01.2024

V.Vishal

(Sandeep Moudgil)

Judge

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No