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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-12067-2024

Date of Decision: 16.12.2024

INTJAR HASSAN

VS.

STATE OF HARYANA AND OTHERS

... PETITIONER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amit Gupta, Advocate, for the petitioner.
Mr. Karan Sharma, DAG, Haryana.

ANOOP CHITKARA , J.(ORAL)

Seeking direction to respondents No. 2 and 3 to forthwith get Payal, aged about 19 years daughter of late Karam Chand released from the detention of respondents No. 4 to 7 and to produce her in this Court as there is threat to her life, the petitioner has come up before this Court under Article 226 of the Constitution of India read with Section 528 BNSS, 2023.

2. The petitioner, who is aged about 23 years, claims to be in live-in-relationship with detainee, who is aged about 19 years, has come up before this Court on the ground that her parents are solemnizing her marriage forcibly against her wishes to some stranger.

3. The petitioner has no legal right because she is legally unmarried. Moreover, the detainee is aged about 19 years and she has right to live the way she wants to.

4. State counsel submits that the detainee was produced before the Judicial Magistrate on 07.12.2024 and before the concerned Judicial Magistrate, the detainee Ms. Payal explicitly stated that she had left her home voluntarily and again returned to home voluntarily and she does not want any action against the petitioner. This shows good conduct of the detainee that she does not want to cause any harm to the petitioner but also showing her independence of voluntarily returning back to home.

5. Regarding the apprehension that her parents are likely to forcibly marrying her, let the concerned Dysp and in case, the Dysp is not a female, accompanied by police officials preferably lady sub-Inspector to interact and visit the detainee Ms. Payal. In case, they find any truth in the allegation made by the petitioner, they shall provide protection to her and send to protection home.

6. Petition is disposed of with the aforesaid observations. All pending applications, if any, also stand disposed of.

16.12.2024

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(ANOOP CHITKARA)

JUDGE

Whether speaking/reasoned

Whether Reportable

: Yes/No

: Yes/No