



117 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-12216-2024

Date of Decision: 20.12.2024

Mustakeem

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Azad Khan, Advocate, for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana with
ASI Rakesh Kumar.

Rajesh Bhardwaj, J. (ORAL)

Petitioner has approached this Court praying for issuance of writ in the nature of habeas corpus directing respondents No.1 to 3 to produce/release detenue— Sadka, wife of the petitioner along with her child from the illegal custody of respondents No.4 to 6 and hand over her custody to the petitioner being her husband.

On issuance of notice, learned State counsel has produced on record the statement dated 19.12.2024 of the alleged detenue and statement under Section 183 BNSS dated 23.08.2024 recorded before learned JMIC concerned, wherein, she has deposed that though she married with her free will with the petitioner, however, now she is living with her parents at her own will. It is also deposed by her that they were blessed with a child, however, unfortunately due to some illness, the child is no more.

In view of the aforesaid statements produced on record, it is apparent that the detenue is living with her parents and she does not want to live with the petitioner. Thus, the present petition is disposed of with liberty to the petitioner to avail remedy as available to him under law.

20.12.2024

sharmila

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No

**(RAJESH BHARDWAJ)
JUDGE**