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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-3196-2025 (O&M)

Date of Decision: 28.03.2025

MAN SINGH

...PETITIONER

Versus

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Grewal, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavata, AAG Haryana.

Harpreet Singh Brar, J. (Oral)

Petitioner has filed this petition under Article 226 of Constitution of India read with Section 528 of B.N.S.S. 2023 seeking issuance of a writ in the nature of Habeas Corpus directing the official respondents to produce the detenue-Vishakha i.e. daughter of the petitioner, before the jurisdictional Court, who has been illegally and forcibly detained by private respondents No. 4 to 6 and their associates.

Learned counsel for the petitioner inter alia contends that the detenue is daughter of the petitioner and she has been residing along with the petitioner and other family members at the house of the petitioner. Respondent No. 4 is a person of criminal background facing several criminal cases. On 24.03.2025, the private respondent No. 4 with the help of his brothers and other associates allured the daughter of the petitioner on the pretext of marriage. The daughter of the petitioner is innocent and she got allured in the sweet talks of respondent No. 4. Earlier also, the petitioner learned about the evil designs of respondent No. 4. The petitioner has even tried to impress upon respondent No. 4 not to indulge in such activities, however, he refused to mend his ways. Respondent No. 4 has illegally enticed away the daughter of the petitioner and confined her forcefully. Further

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respondents No. 5 and 6, who are real brothers of respondent No. 4, are also helping in actively aiding the illegal detention of the detainee. The confinement of the detainee by the private respondents came to the knowledge of the petitioner, from some reliable sources. The petitioner and his family members tried their best to locate the detainee everywhere in the village. The petitioner approached respondent No. 3 on 24.03.2025 itself and made a written complaint, whereby it has been brought to the knowledge of the local police that respondent No. 4, with the assistance and connivance of other respondents have kidnapped his daughter (detenue), however, the jurisdictional police authorities have not made any effort to recover the detainee from the illegal confinement of private respondents. The petitioner has every apprehension that some harm may be caused to his daughter (detenue) by the private respondents.

Learned counsel for the petitioner is heard and record of the case is perused. On a specific query put forth by this Court, learned counsel for the petitioner has fairly conceded that the alleged daughter of the petitioner (detenue) is major. Further the representation filed before the jurisdictional Court on 24.03.2025 has not been attached with the paper book.

Notice of motion.

Mr. Ramesh Kumar Ambavta, AAG Haryana accepts notice on behalf of official respondents and submits that in case the petitioner makes a detailed representation, the veracity of the allegations made by the petitioner shall be enquired into dispassionately, in case, the detainee is illegally confined, she will be recovered and produced before the jurisdictional Magistrate concerned. In case, the detainee makes a categorical stand that she is living with



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respondent No. 4 with her own sweet will, being a major woman, the representation filed by the petitioner would be consigned to record.

In view of the specific stand taken by the learned counsel, the present petition is disposed of.

(HARPREET SINGH BRAR)
JUDGE

28.03.2025

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No