



CRWP-3436-2025

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

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CRWP-3436-2025
Decided on: 02.05.2025

Rohit

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Bishnoi Abhimanyu, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.
(appeared on advance notice).

Ms. Arti Sharma, Advocate for
Mr. Shalender Mohan, Advocate for respondents No. 4 to 7.

SANJAY VASHISTH, J.

1. Instant Habeas Corpus petition, has been filed by petitioner-Rohit, aged about 28 years, for immediate release and production of the detenue i.e. his legally wedded wife namely; Neha Devi d/o Bijender Singh Biddu.

2. On 08.04.2025, following order was passed:

“1. In the present Habeas Corpus petition, on 04.04.2025, following order as passed:-

“1. Instant Habeas Corpus petition, has been filed by petitioner – Rohit, aged about 28 years, for immediate release and production of the detenue i.e. his legally wedded wife namely; Neha Devi d/o Bijender Singh Biddu, be got released.

2. Pleaded case of the petitioner is that marriage between him and Neha Devi was performed on 16.02.2025, though it was against the wishes of respondents No. 4 to 9. Since 06.03.2025, detenue is illegally detained by respondents No. 4 to 9 and are not setting her free to meet the petitioner. To establish the relation of petitioner with detenue namely; Neha, as husband and wife, petitioner has appended few photographs and a wedding card (Annexure P1).

3. Notice of motion.



4. On asking of the Court, Mr. Pawan Kumar Jhanda, DAG, Haryana, accepts notice for respondents No.1 to 3 (State) and seeks time to get instructions and to file status report, if any.

Let requisite copies of the complete paper book be handed over to the learned State counsel, during the course of the day.

5. Meanwhile, respondent No.2-Superintendent of Police, District Hisar, is directed to immediately depute some responsible police officer(s)/official(s), not below the rank of Sub-Inspector, to visit the house(s) of respondents or any other place of detention, where the alleged detainee 'Neha' is illegally detained. The concerned police officer(s)/official(s) would record the statement of the alleged detainee 'Neha'. Such officer would ensure that the statement of the alleged detainee 'Neha' is free from any kind of influence, fear or pressure, and thereafter, report prepared by him/her be produced before this Court on or before the next date of hearing fixed before this Court.

6. After recording the statement, if such officer(s)/official(s) realises that detainee is major and has been illegally detained, he/she would get her released immediately.

7. Adjourned to 08.04.2025.

8. Respondent No.3 would ensure that detainee, namely, Neha is present before this Court on the date fixed alongwith petitioner.

9. To be taken up at 12:00 noon."

Mr. Shalender Mohan, Advocate, puts in appearance on behalf of respondent Nos.4 to 7 and has filed his Power of Attorney in Court, which is taken on record.

Status report dated 07.04.2025, in the shape of affidavit of Ravinder Sangwan, HPS Deputy Superintendent of Police, Hansi, District Hisar, has been filed by learned State counsel in Court today, the same is taken on record. Registry is directed to tag the same at appropriate place.

2. Today, petitioner himself and the alleged detainee – Neha, are present in the Court and some deliberations are done in the chamber with both the parties in the presence of SI Geeta and Ms. Mayuri Lakhanpal, DAG, Haryana.

3. From the discussion, it transpired that petitioner and detainee have recently got married and are ready to live a happy life in future.

4. Petitioner – Rohit submits that he would go to his in-law's house himself, within 02 weeks' period, and then will bring the detainee from there to his own house at Hansi.

5. List again on 02.05.2025.

To be shown in the urgent list."

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3. Petitioner-Rohit, who is present in Court along with his counsel, submits that on 14.04.2025, he went to his in-laws' house and brought his wife back to the matrimonial home. However, thereafter, the mother of the detainee came to the matrimonial home and took her back to the parental home.

4. In view of the admitted fact on record that the petitioner and the detainee are married and thus, related as husband and wife, the matter appears to be a matrimonial dispute, which cannot be resolved through the present petition. Accordingly, this Court does not find any ground to issue directions to the respondents. Hence, the present petition is disposed of.

5. However, it shall be open to the petitioner to avail the appropriate legal remedy available to him under the law. It is further clarified that any observation or reference made hereinabove regarding the status of the relationship between the parties shall not be construed as an expression of opinion by this Court on the merits of the case.

(SANJAY VASHISTH)
JUDGE

02.05.2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**