



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

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CRWP-9867-2025

Date of Decision: 09.09.2025

SHAHRUKH

.....PETITIONER

Vs.

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Rahul Garg, Advocate
for the petitioner.

SUBHAS MEHLA, J. (ORAL)

1. The prayer in the instant criminal writ petition filed under Article 226 of the Constitution of India is for the issuance of a writ in the nature of habeas corpus for directing respondent Nos. 2 to 3 to find out the whereabouts of detainee namely Ikra wife of the present petitioner from the hands of respondent Nos. 4 to 8.

2. Learned counsel for the petitioner contends that petitioner and detainee namely Ikra i.e. wife of the petitioner approached this Court on 29.08.2025 through CRWP-9438-2025 for protection of life and liberty and this Court directed both of them to appear in the office of concerned Superintendent of Police, District Panipat within a period of three days. Thereafter, the petitioner and detainee solemnized their marriage on 30.08.2025 as per Muslim rites and rituals. On 01.09.2025, the petitioner and detainee went to concerned authorities in compliance of order passed by this Court and as per the directions of Child Welfare Officer, the detainee was sent to Safe House, Panipat.



3. This Court has heard learned counsel for the petitioner.
4. Pursual of order (Annexure P-1) passed by this Court in CRWP-9438-2025 decided on 29.08.2025 reflects that petitioner and detenue were directed to appear before Superintendent of Police, Panipat and then respondent No.2 was directed to facilitate produce the minor before the Child Welfare Committee. It is not disputed that the detenue is 16 years old minor child and needs protection as per the Juvenile Justice (Care and Protection of Children) Act, 2015 and as in compliance of that order respondent Nos. 2 to 4 might have taken action as per the provisions of law, so it cannot be stated an illegal custody of the detenue minor child in hands of official respondent while discharging official duty as per law.
5. This Court does not find any merit in the petition. The present petition is just for creating a defence by petitioner, who is 28 years old and an FIR bearing No. 367 dated 02.09.2025 under Section 137(2) of BNS has already been lodged against him.
6. The present petition stands dismissed, subject to cost of Rs.2,000/- to be deposited with concerned District Legal Services Authority, Panipat Haryana.

(SUBHAS MEHLA)
JUDGE

09.09.2025

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No