

S. No.251

2025:PHHC:146879



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

CRWP No.11023 of 2025 (O&M)

Date of Decision:28.10.2025

Satpal

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Khalid Tauru, Advocate for the petitioner.
Mr. Ramesh Kumar Ambavta, DAG, Haryana.
Mr. V.K. Pandey, Advocate for respondents
No.5 to 7.

Yashvir Singh Rathor, J. (Oral)

1. This is a petition filed by the petitioner under Article 226 of the Constitution of India praying for writ in the nature of Habeas Corpus for issuance of direction to respondents No.2 to 4 to trace and release the detenue namely Garima from illegal custody of respondents No.5 to 11 by appointing a Warrant Officer.

2. I have heard learned counsel for the parties and perused the material placed on record.

3. Report has been received from Chief Judicial Magistrate, Nuh, as per which detenue Garima was produced before the Court of CJM by the police and her statement was recorded wherein she has expressed her willingness to go with petitioner- Satpal.

4. Learned counsel for respondents No.5 to 7, who are the parents and brother of detenue, has filed reply and learned counsel representing them has



argued that petitioner – Satpal is already married and he has concealed this fact. False representation has been made in the petition that petitioner and detainee are having an affair and are living in live-in relationship. Respondents No.5 and 6 are the parents and there is no question of illegally detaining their daughter by them. When detainee had left home on 10.10.2025, they had got registered an FIR bearing No.116 dated 10.10.2025 (Annexure R.5/1) and thereafter, police traced her from her mobile location and she was recovered. Learned counsel contended that the petitioner was running a gym in the locality and had allured and trapped the detainee on the false promises and he is not entitled to keep detainee in his custody.

5. However, there is no force in contention raised by learned counsel for respondents No.5 to 7. No doubt, detainee is their daughter but she is major and she is willingly residing in the company of petitioner and she cannot be compelled to live in the company of respondents No.5 to 7 and as per her version, she was forcibly taken away by the police and respondents No.5 to 7 and she has made a specific statement before CJM that she wants to live in the company of petitioner.

6. In this view of the matter, no further action is called for and the present petition is disposed of as infructuous.

7. Pending misc. application, if any, stand disposed of.

(Yashvir Singh Rathor)
Judge

October 28, 2025

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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No