



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

CRWP-4518-2026

Date of Decision: 27.05.2026

SOHIL KHAN

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Karan Vir Nanda, Advocate with
Mr. Ayush Gupta, Advocate
for the petitioner(s).

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Kiranpal Singh, Advocate and
Mr. Vikram Singh, Advocate
for respondent No.5.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Article 226 of the Constitution of India is for the issuance of a writ in the nature of Habeas Corpus seeking the production and recovery of the detainee namely Rabina i.e. live-in-partner of petitioner, from the illegal custody of respondent No.4.

The counsel for the petitioner contends that the petitioner and Rabina are classmates who were in a live-in relationship. They had filed a petition seeking protection of their life and liberty. A Coordinate Bench of this Court vide order dated 02.04.2026 had directed the Superintendent of Police, Yamuna Nagar to look into their representation seeking protection dated 26.03.2026 and proceed in accordance with law. Pursuant to the order dated 02.04.2026, as there was apprehension of breach of peace in their Village, the alleged detainee namely Rabina was sent to the One Stop Centre for Women at

Jagadhri, Yamuna Nagar. When this matter came up for hearing on 18.04.2026, a Warrant Officer was appointed. The said Officer found that Rabina had been taken to the One Stop Centre for Women at Jagadhri, District Yamuna Nagar. Her statement was recorded to the effect that she wanted to appear in the High Court from the One Stop Centre for Women at Jagadhri, District Yamuna Nagar and pursuant thereto, she wanted to reside with the petitioner and that she was under no pressure from anyone.

On 23.04.2026 Rabina was directed to be present in the Court on the next date of hearing i.e. 30.04.2026. On the said date, Rabina stated that she is of the age of 20 years and wished to reside with the petitioner but at that stage because the situation in their village was tense she preferred to reside at the One Stop Centre for Women at Jagadhri for the next few days. The matter was thereafter adjourned to 25.05.2026, during which period, the petitioner continued to reside at the One Stop Centre for Women at Jagadhri, Yamuna Nagar. As the alleged detainee-Rabina has once again expressed her desire to reside with the petitioner, she be allowed to accompany the petitioner.

The counsel for the State, on the other hand, contends that there is likelihood of a tense situation arising on account of the inter-faith love affair between the petitioner and Rabina. The father of the petitioner is a convict in 02 cases and so, the petitioner's family does not have clean antecedents. Therefore, she be directed to continue to reside at the One Stop Centre for Women at Jagadhri, Yamuna Nagar or her custody be handed over to her parents.

The counsel for respondent No.5 who is the father of Rabina contends that there is a threat to Rabina's life and liberty. Further, a tense situation is likely to develop in the village in case Rabina is allowed to accompany the petitioner. He, however, does not dispute that Rabina is more

than 18 years old. He prays that the present petition be dismissed and Rabina's custody be handed over to her father.

I have heard the counsel for the parties.

Admittedly, the petitioner and Rabina had filed CRWP-3693-2026 seeking protection of their life and liberty which came to be disposed of vide order dated 02.04.2026 and the Superintendent of Police, Yamuna Nagar was directed to look into the representation of the petitioner therein. Pursuant thereto, Rabina was taken to the One Stop Centre for Women at Jagadhri, Yamuna Nagar where she is currently residing.

When the Warrant Officer visited Rabina at the One Stop Centre for Women at Jagadhri, she expressed her desire to go with the petitioner. The report of the Warrant Officer is as under:-

"In compliance with the orders dt. 18.04.2026 passed by Hon'ble Mr. Justice Jasjit Singh Bedi the undersigned was appointed as warrant officer on 18.04.2026 to visit the alleged places of detention of the detenue namely Rabina and any other places as may be pointed out by the petitioner. In case the detenue is found in illegal detention of Resp. no. 4, the undersigned was directed to set her free/released forthwith after recording her statement.

As such the undersigned entered the police station at 11:47 pm. At that time duty officer Vinod Kumar and other police personnel were present there. The undersigned disclosed his identity to the duty officer and purpose of my visit and asked him about the detenue.

Upon receiving the statement of the detenue namely Rabina taken in one stop center for women, Jagadhri, Distt. Yamunanagar, she said during her statement that she doesn't have any kind of problem. she wants to appear in the Hon'ble High Court from the One Stop Center for Women itself, and after that, she wants to live with petitioner Sohil Khan. There is no pressure of any kind on her from anyone and in this

regard she has also given her statement in writing (Annexure A-1).

Subsequently, on our return to the police station roznamcha report i.e. G.D number 002 and 003 dt. 18.04.26 were entered (copy enclosed as Annexure "A-2" and "A-3" respectively).

I left for Chandigarh at 02:45 am.

Accordingly, the report is submitted for kind perusal of His Lordship please."

Vide order dated 23.04.2026, Rabina was directed to be present in the Court on 30.04.2026. On her appearance in Court, this Court recorded her statement and the following order was passed:-

"The alleged detainee, Rabina is present in Court today and states that she is of the age of 20 years and wishes to reside with the petitioner. However, she further states that because of the tense situation in the village of Sohil Khan (petitioner) and her parental village, she would prefer to reside at One Stop Center for women, Jagadhri for the next few days.

Adjourned to 25.05.2026.

In the meantime, detainee-Rabina shall continue to reside at One Stop Centre for Women, Jagadhri till the next date of hearing."

The matter has come up for hearing today i.e. 27.05.2026. Rabina, who is present in Court, on being asked has once again categorically and unequivocally stated that she wishes to reside with the petitioner and not at the One Stop Centre for Women at jagadhri, Yamuna Nagar or anyone else.

Keeping in view the judgments in ***Lata Singh Versus State of U.P. & Another 2006(3) RCR(Criminal) 870, Shahrulkhan Rahimkhan Pathan Versus State of Gurarat & 9, Special Criminal Application (Habeas Corpus)***

No.7343 of 2017 dated 29.09.2017 and Kajal Prajapati and Another Versus State of U.P. And 3 Others, 2026 NCAHC 55672 and the fact that Rabina is of the age of more than 18 years and has repeatedly stated that she wishes to reside with the petitioner, she is directed to be released from One Stop Centre for Women at Jagadhri, Yamuna Nagar and is free to accompany the petitioner.

The respondent Nos.2 and 3 shall ensure safety of the life and liberty of the couple. In case the couple wishes to reside outside District Yamuna Nagar, they are free to contact the Local SP and the Local SHO with a copy of the order dated 02.04.2026 passed in CRWP-4518-2026 and the present order and the appropriate authority shall ensure protection of the life and liberty of the petitioner and Rabina. Further, in case at any stage, Rabina faces any threat from the petitioner or his family members, she is free to contact the SHO/SP of the jurisdiction in which she is then residing who shall provide all necessary help to Rabina in accordance with law.

Needless to say, the petitioner and his family members shall ensure adequate protection to Rabina and treat her with utmost dignity and respect.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 27, 2026

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Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No