



CRWP-5043-2026

1

245

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-5043-2026

Date of decision: 12.05.2026

Ishlam

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Mohit Kumar Bhardwaj, Advocate
for the petitioner

Mr. Amish Sharma, AAG Haryana

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed under Article 226/227 of the Constitution of India, for issuance of writ of Habeas Corpus for production of the petitioner's live in partner (Rubi), who is illegally detained by respondent No. 4.

2. On 29.04.2026, the following was recorded:

"1. xx xx xx xx

2. *Learned counsel for the petitioner contends that detenue is third wife of respondent No. 4 and she has been maltreated by her husband (respondent No. 4), petitioner has filed instant petition for her release from illegal custody. He further submits that detenue had been subjected to continuous physical abuse and harassment at the hands of respondent No. 4.*

3. *Notice of motion.*

4. *On asking of the Court, learned State counsel accepts notice on behalf of the respondent-State. Let requisite copies of the complete paper book be supplied to learned State counsel during course of the day.*

5. *Let the facts narrated by the petitioner be verified by the State.*



6. *Meanwhile, respondent No.2 – Superintendent of Police, District Panipat, Haryana, is directed to immediately depute some police officer(s)/official(s), to visit the house(s) of respondent No.4 or any other place of detention, where the alleged detainee 'Rubi' is illegally detained. The concerned police officer(s)/official(s) would record the statement of the alleged detainee 'Rubi'. Such officer would ensure that the statement of the alleged detainee 'Rubi' 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.*

7. *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.*

8. *List again on 12.05.2026."*

3. Today, detainee-Rubi wife of Shaukat Alli, R/o House No. 684, village Khojkipur Kalan, Tehsil Bapoli, Police Station Bapoli, District Panipat is present before this Court and after doing some interactions inside Chamber in the presence of Ms. Anmol Sharma, Law Researcher and Mr. Anand Singh, Usher, she revealed out, that basically she is from Bihar and respondent No. 4 – Shaukat Alli is her husband, who performed third marriage with her(detinue).

4. During discussion inside chamber, she further disclosed that respondent No. 4 – Shaukat Alli compels her for establishing illicit relations with other people, under the greed of some money, thus, has been maltreating her. Asking about petitioner-Ishlam, she disclosed that he is unmarried and keeps her well.

5. Status report filed by learned State counsel in the Court today is taken on record.

6. As per learned State counsel, when police officer went in the house where she was residing with respondent No. 4 for recording her statement, she



CRWP-5043-2026

3

stated that she would give her statement before the Court.

7. After going through the contents mentioned in the petition or even the statements made by the detainee inside chamber, this Court is not required to give any opinion nor any comment about its authenticity, however, she being major and capable to understand her right or wrong, which is apparent on the face of discussion with her, she is left free to go with the person of her liking.

8. The petition stands disposed of.

12.05.2026

reena

**(SANJAY VASHISTH)
JUDGE**

- | | |
|--------------------------------|---------|
| 1. Whether speaking/ reasoned: | Yes /No |
| 2. Whether reportable : | Yes /No |