



CRWP-5717-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-5717-2026

Date of decision: 29.05.2026

Rajni

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Meena, Advocate for
Mr. Amit Arora, Advocate
for the petitioners.

Mr. Jasdeep Singh Gill, Addl. A.G., Punjab

SANJAY VASHISTH, J (ORAL)

1. In the present Habeas Corpus petition, on 15.05.2026, following was recorded:

i) Instant criminal writ petition, has been filed by the petitioner – Rajni, under Article 226 of the Constitution of India, for issuance of a Writ in the nature of Habeas Corpus, directing official respondents to produce minor daughter of petitioner namely, Santosh, aged 17 years (detenue herein), as she has been illegally taken away from the petitioner's custody by respondent No.4 in connivance with respondent No.5.

ii) Learned counsel for the petitioner submits that minor daughter, Santosh, was born on 25.07.2008 and is presently about 17 years and 9 months of age. It is contended that she has studied up to 7th class and was thereafter working at a brick kiln along with her parents and residing there. It is alleged that the minor has been enticed away by respondent No.4 in connivance with respondent No.5, and despite registration of FIR No.0166 dated 19.11.2025 under Sections 137(2), 87, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 363, 366, 34 IPC), Police Station Sirhali, District Tarn Taran (Annexure P-1), neither



the minor has been recovered nor have the accused persons been arrested.

iii) Learned counsel further submits that despite repeated requests and representations, the official respondents have failed to take effective steps for tracing and recovering the minor girl. It is also submitted that the whereabouts of the minor are not known and there is a genuine apprehension regarding her safety and well-being. It is contended that the respondents are withholding the minor illegally and are not disclosing her location, thereby depriving the petitioner of her lawful custody.

iv) Notice of motion.

v) On asking of the Court, Mr. Neeraj Madaan, Sr. DAG, Punjab, accepts notice on behalf of respondent Nos.1 to 3 (State). Let requisite copies of the complete paper book be handed over to the learned State counsel, during the course of the day.

vi) Meanwhile, respondent No.2 – Senior Superintendent of Police, Taran Taran– is directed to immediately depute police officer(s)/official(s), not below the rank of Sub-Inspector, and if possible, the officer deputed should be a woman, or, if not, must be accompanied by a female member in the team of other police officials. The deputed officer(s) shall visit the house(s) of private respondents No.4 and 5 or any other place where the alleged detainee, ‘Santosh’, is allegedly being illegally detained. The concerned officer(s) shall record the statement of the alleged detainee, ‘Santosh’, ensuring that it is given voluntarily and is free from any influence, coercion, threat, or undue pressure. Thereafter, a report prepared by the officer(s) shall be submitted before this Court on or before the next date of hearing.

After recording the statement, if such officer(s)/official(s) come to the conclusion that the detainee is found to be a minor, they shall take all necessary steps forthwith for sending the detainee to the nearest Nari Niketan or Children’s Home, in accordance with law.

vii) List on 25.05.2026.”

3. Learned State counsel on instructions from ASI Gurdeep Singh points out that detainee Santosh, who is minor has been produced by the relative of respondent No. 4 and statement of the detainee is being recorded in the proceedings of FIR No. 0166 dated 19.11.2025 (supra).

4. In view of the information supplied by learned State counsel that

**CRWP-5717-2026****3**

detenue has already been recovered and then produced before the Magistrate, for recording of necessary statement, no further directions are required to be passed in the present petition.

5. The petition is disposed of.

29.05.2026

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**(SANJAY VASHISTH)
JUDGE**

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