

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

CRM-M No.11236 of 2014 (O&M)

Date of Decision: 28.08.2015

Mandeep Kaur

..... Petitioner

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. B.K.Sharma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for respondent Nos.1,4, 5 and 6.

Mr. Vishnu Godara, Advocate for
Mr. Sumeet Goel, Advocate for respondent No.3/CBI.

Mr. B.B.S.Sobti, Advocate for respondent Nos.8 and 9.

Mr. N.S.Dandiwal, Advocate for respondent Nos.10 to 12 and 15.

Mr. Malkeet Singh Balianwali, Advocate for respondent No.18.

JASWANT SINGH, J. (Oral)

The petitioner claims to have solemnized her marriage with respondent No.9-Sant Baba Gurbaksh Singh in Gurudwara Nanaksar Sahib Takhtupura, Tehsil Nihal Singh Wala, District Moga on 06.04.2009. It is further claimed that they are resided as husband and wife for 10-15 days at Zirakpur and thereafter the alleged husband was taken away by his family members.

It transpires that she/petitioner after almost four years filed a habeas corpus petition bearing CrI.W.P. No.1348 of 2013 against the family members of said respondent No.9 and during the proceedings on 16.07.2013 (**Annexure P-4**), respondent No.9 presented himself before the Court and denied the factum of marriage, as also his illegal custody by his parents. Subsequently, vide order dated 19.08.2013 (**Annexure P-5**), the petition was disposed of as having become

infructuous, however, with a direction to the I.G.P. (Crime), Punjab to complete an enquiry on the allegations of marriage levelled by the petitioner. The said enquiry was completed vide order dated 30.10.2013 (**Annexure P-13**). Hence, the present petition under Section 482 Cr.P.C. seeking an independent enquiry from the C.B.I.

Upon notice, IGP, who impleaded as respondent No.5, has filed his reply. Separate replies have also been filed by DSP, Nihal Singh Wala on behalf of respondent No.6 and Tejwant Kaur/respondent No.18, who is the legally wedded wife of Sant Baba Gurbaksh Singh/respondent No..9.

In the reply filed by the IGP, it has been stated that in the enquiry pertaining to the validity/legality of any marriage between the petitioner-Mandeep Kaur and Sant Baba Gurbaksh Singh/respondent No.9 was required to be decided by the Court of competent jurisdiction based on the evidence adduced in support of their respective claims.

Respondent No.18 in her reply has *inter alia* stated that the present petition has been rendered infructuous as the petitioner herself has now solemnized the marriage with one Sandeep Singh on 01.12.2014.

After hearing learned Counsel for the parties and keeping in view the fact that the petitioner herself has solemnized the marriage, this Court feels that no further adjudication is required. However, if the petitioner still has any grievance, she is free to seek her remedy in accordance with law before the Courts of competent jurisdiction.

In view of the above, the present petition stands disposed of.

August 28, 2015
Gagan

(JASWANT SINGH)
JUDGE