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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.1077 of 2015
Date of Decision:28.7.2015

Laxmi Devi

--Petitioner

Vs

State of Punjab and others

--Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. M.S.Kathuria, Advocate,
for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

Mr. Beant Singh Seemer, Advocate,
for respondent No.5.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner, by way of instant criminal writ petition under Article 226 of the Constitution of India seeks a writ in the nature of habeas corpus for production of the detinue namely Sheetal Pandey, daughter of the petitioner.

Notice of motion was issued and warrant officer was appointed who has submitted his report dated 24.07.2015 which is available on record.

Reply by way of affidavit dated 28.07.2015 filed in the Court today on behalf of respondents No. 1 to 3, is taken on record and copy thereof supplied to the learned counsel for the petitioner.

Learned State counsel submits that Miss Sheetal Pandey, daughter of the petitioner, as a matter of fact, performed marriage with respondent No.4, namely, Ajay Kumar son of Vijay Kumar.

Thereafter, they approached the learned Sessions Judge, Ludhiana for seeking protection which was granted to them vide order dated 24.07.2015 annexed with the reply filed on behalf of respondents No.1 to 3. Finally, learned counsel for the State submits that in view of the above said facts which were not disclosed by the petitioner in the present petition and later the developments as well, instant petition has been rendered infructuous and may be disposed of as such.

Faced with the above, learned counsel for the petitioner submits that respondent No.4 as well as Miss Sheetal Pandey, daughter of the petitioner have approached the learned Sessions Judge, Ludhiana seeking protection, pleading incorrect facts before the Court, claiming them as to be major, whereas daughter of the petitioner was not major.

However, except Annexure P-1 which is a School Leaving Certificate, no authentic proof of age of Miss Sheetal Pandey, alleged detainee has been placed on record so as to show that she was not major at the relevant point of time.

In view of the above, no further orders are called for and the present petition stands disposed of as such.

(RAMESHWAR SINGH MALIK)
JUDGE

28.7.2015
vandana