

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

**Crl. Writ Petition no. 950 of 2014(O&M)
Decided on : 19-03-2015**

Balwinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

- 1) Whether reporters of local newspapers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

Present:- Mr. Nitin Jain, Advocate for the petitioner

Mr. Ravinder Singh Randhawa, Addl. AG Punjab

MAHESH GROVER, J

An affidavit of Manmohan K Sharma, PPS, Senior Superintendent of Police, District Tarn Taran has been filed in the Court today and the same is taken on record. A copy thereof has been supplied to the counsel opposite.

This Habeas Corpus petition under Article 226 of the Constitution of India was filed by father of one Raj Kaur alleging that she had been forcibly detained by Rachpal Singh who was already married. This being the allegation the Court had on an earlier occasion issued notice and pursuant to which the whereabouts of alleged detainee Raj Kaur were ascertained. She was living with Rachpal Singh. She had appeared before the Court to state that she is living with Rachpal Singh who had promised to get her a job. It was stated by the petitioner that Rachpal Singh is already

married and thus he is abusing his relation with Raj Kaur.

Be that as it may, the fact is not denied that Raj Kaur is a major and if that be so then she would be at liberty to reside with a person of her choice. The petitioner may be a disgruntled father but cannot force her to live against her wishes. Status report has been filed by the Sr. Superintendent of Police, Tarn Taran wherein it has been stated that the alleged detainee Raj Kaur is currently staying with her mother Kulwant Kaur. The report also indicates that some complaints by Parveen Kaur wife of Rachpal Singh were got recorded under duress.

In any eventuality the whereabouts of the detainee having been ascertained and she being in the company of her mother now would warrant the closure of this petition, particularly when the alleged detainee Raj Kaur is a major. Hence, instant petition is dismissed as having been rendered infructuous.

March 19, 2015
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(Mahesh Grover)
Judge