

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP No. 454 of 2015 (O&M)

Date of Decision: 30.4.2015

Kuldeep Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ram Bilas Gupta, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

The instant petition was preferred under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus seeking the release of alleged detainee namely Nirmaljeet Kaur, niece of the present petitioner and who was stated to be in the unlawful confinement of the private respondents.

Upon notice of motion having been issued, a reply by way of affidavit of the Dy.S.P., Shri Hargobindpur, Police District Batala has been filed in Court today and the same is taken on record. Copy has been furnished to learned counsel for the petitioner.

Perusal of the reply would reveal that F.I.R No.24 dated 19.3.2015 under section 365 I.P.C was registered at Police Station, Ghoman on the statement of Jaswant Singh son of Chanan Singh against Ranjit Singh @ Rana, Sant Singh and Gurmit Kaur wife of Sant Singh for kidnapping/abducting Nirmaljeet Kaur. However, during the course of investigation it was found that Nirmaljeet Kaur and accused Ranjit Singh had filed CRM No. M-9049 of 2015 in this Court seeking protection and the same was disposed of on 19.3.2015 in terms of the following order:-

“Heard.

Pleadings on record have been perused.

The petition is disposed of with a direction to respondent no.2 i.e. S.S.P., Rural Amritsar, District Amritsar that in case any representation is filed seeking protection of life and liberty, the contents thereof be duly verified and if necessary, requisite steps be taken, strictly in accordance with law for grant of protection of life and liberty to the petitioners. It is clarified that this order shall not be treated as a stamp of this Court for marriage of the parties.

Petition stands disposed of.”

Reply further reveals that statement of Nirmaljeet Kaur was recorded under Section 164 Cr.P.C in the court of learned J.M.I.C., Batala on 23.4.2015 in which she had stated that she had married of her own consent with Ranjit Singh son of Hardeep Singh. The alleged detinue Nirmaljeet Kaur further stated that her uncle Kuldeep Singh (present petitioner herein) had tried to kill her husband Ranjit Singh and in this regard F.I.R under section 307 I.P.C stands registered at Police Station, Jandiala Guru Ka.

In the light of the contents of the written statement, counsel appearing for the petitioner does not press the instant petition and the same is disposed of as having been rendered infructuous.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 30, 2015
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