

CRWP-1119-2016

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

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Date of Decision: 15.11.2016

Tinku Masih

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mohd. Yousaf, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner, Tinku Masih, has filed this criminal writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of habeas corpus for the release of detenue, Ribika, sister of the petitioner, from the illegal custody of the private respondents as she has been detained against her wishes by the private respondents.

Notice of motion was issued and learned State counsel was directed to get the matter inquired through the concerned Station House Officer and submit report before this Court. It was also directed that if the detenue is found to be kept illegally against her wishes by the private respondents, then she be produced in the Court. Learned State counsel put in appearance on behalf of respondent Nos.1 to 3 and filed reply which was taken on record.

I have heard learned counsel for the petitioner, learned State

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counsel and have gone through the record.

From the record, I find that in reply filed on behalf of respondent Nos.1 to 3, it is stated that Mangal Singh has married with Aman daughter of Bachan Singh and two children have born from this wedlock. He has arranged second marriage with Ribika without consent of his first wife. Statement of Ribika has also been placed on record as Annexure R-1/T in which she stated that she has married with Mangal Singh at her own wishes. She is now residing with Mangal Singh at village Langarwal and her parents are harassing her without any cause. Statements of Mangal Singh and Sulakhan Singh Sarpanch have also been recorded to this effect, which have been annexed with reply as Annexure R-2/T and R-3/T.

In view of the statements of alleged detainee, Ribika, Mangal and Sulakhan Singh, Sarpanch of village Langarwal, especially the statement of alleged detainee, it is clear that she is residing with Mangal Singh at her own wishes and she has not been illegally confined against her wishes.

Keeping in view the reply and statements (Annexures R-1/T to R-3/T), no further action is required in this petition.

Disposed of.

However, the petitioner is at liberty to avail the alternative remedy, if any, available to him, in accordance with law.

15.11.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No