
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.149

CRWP No.408 of 2016
DECIDED ON: March 22, 2016

CHARANJIT SINGH

..PETITIONER

VERSUS

SENIOR SUPERINTENDENT OF POLICE AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers 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. Darbara Singh, Advocate, for the petitioner.

JASPAL SINGH, J

Through this revision petition preferred under Article 226 of the Constitution of India by Charanjit Singh has sought the issuance of a writ in the nature of habeas corpus for production and release of detenue i.e. his wife Jaspreet Kaur @ Jassi aged about 24 years from the illegal custody of respondents No.3 to 6.

The contention of the learned counsel for the petitioner is that Jaspreet Kaur @ Jassi has illegally and forcibly been taken away by the respondents No.3 to 6 from her house on March 14, 2016 and since then, she is being detained illegally by them. Even the matter was also reported

to the police, but till date no action has been taken. But this Court does not find any merit in the contention put-forth by learned counsel for the petitioner for the simple reason that Karamjit Singh-respondent No.3 is one of the close relations of the petitioner, who was on visiting terms with the petitioner for the last more than one year.

A perusal of the Annexure P-2, a complaint moved to Senior Superintendent of Police, Mohali reveals that Jaspreet Kaur @ Jassi as well as both of her daughters have been taken away by Karamjit Singh on February 28, 2016 for their medical treatment. Thus, it can not be said that Jaspreet Kaur @ Jassi has been forcibly or illegally taken away by Karamjit Singh. Rather, she along with her minor daughters has left her house in the company of Karamjit Singh that too, on February 28, 2016. So in such circumstances, the issuance of any writ or appointment of warrant officer is not justifiable. Rather, this Court is of the considered view that the instant petition is nothing but an abuse of the process of law. As such, the same is dismissed.

However, the petitioner shall be at liberty to have recourse to other remedies available to him under law.

March 22, 2016

Ankur

**(JASPAL SINGH)
JUDGE**