

CRWP-1134 of 2016(O&M)**Date of decision: 03.04.2017****Jaspal Singh & Anr.**

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

Present : Mr. Bikramjit Singh Bajwa, Advocate
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

Mr. Deepak Sabherwal, Advocate
for respondent No.4 alongwith respondent No.4
and the Detenue.

* * *

DEEPAK SIBAL, J.(ORAL)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus to release detenue-Ritu who is daughter of the petitioners, from the alleged illegal custody of respondent No.4.

It is not disputed that alleged detenue-Ritu is a major and in the light of this fact, her affidavit dated 26.09.2016 (Annexure R-4/2) may be referred to. The same reads as under:-

*Affidavit of Ritu wife of Adil Kapoor resident of
near Old Gurunanak School Wali, Outside Bandari Gate
Batala.*

*I, the above named deponent, do hereby solemnly affirm
and declare as under:-*

*1. That the averments made by my parents in CRWP-1134 of
2016 are totally false.*

2. *That I am living happily with my husband and we are blessed with a son namely Manan Kapoor on 09.03.2016.*

*Chandigarh
Dated:26.09.2016*

*Sd/-
DEPONENT*

Verification:

Verified that the contents of paras 1 to 2 of this affidavit of mine are true and correct to my knowledge. No part of it is false and nothing has been concealed therefrom.

*Chandigarh
Dated:26.09.2016*

*Sd/-
DEPONENT*

Contents of the above quoted affidavit on being put to the alleged detainee, who is present in the Court, are admitted by her. She is identified by Mr. Deepak Sabherwal, Advocate.

In view of the above, alleged detainee Ritu is found to be living happily on account of her free will and consent with her husband-respondent No.4 and being a major, she is so entitled to.

In view of the above, no further orders need to be passed in the present petition.

Dismissed.

April 03, 2017
rimpal

**(Deepak Sibal)
Judge**

*Whether speaking/reasoned:
Whether Reportable:*

*Yes/No
Yes/No*