

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRWP No.104 of 2017

Date of decision:27.1.2017

Kawal Sharma

... Petitioner

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Rahul Bhargava, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

Pursuant to the order dated 25.1.2017, the report of the Warrant Officer appointed has been received, stating therein that in terms of the aforesaid order, he had gone to the house of the alleged detenue, accompanied by the petitioner and police officials from the police station concerned, and upon the alleged detenue being questioned with regard to whether she was being detained or married off by her parents against her wishes, she refuted the allegations of the petitioner. She again is stated to have reiterated her stand after she was taken to a separate room by the Warrant Officer, along with a lady Constable.

The alleged detenue is stated to have told the Warrant Officer that the petitioner is her cousin and she never got married to him and further, that she is going to marry another person of her own free will on 29.1.2017, with no decree of divorce needed. A signed statement of the alleged detenue has also been annexed with the report of the Warrant

Officer, reiterating what has already been recorded herein above, further stating that she had recently left her job, in view of her marriage to be solemnized on 29.1.2017.

Learned counsel for the petitioner points to the fact that the petitioner and the alleged detainee had earlier approached this Court vide CRM No.M-1935 of 2016 seeking protection of their lives and liberty on account of the fact that they had married each other of their own free will and hence, he contends that the person alleged to be a detainee has falsely made her statement to the Warrant Officer.

Having considered the above, this being a petition seeking a writ of habeas corpus for the production of the alleged detainee and the said alleged detainee having made a written statement that she has never been detained against her will and is living with her parents of her own free will and is going to marry another person also of her own free will on 29.1.2017, nothing further requires to be done in this petition.

Consequently, in view of the statement of the alleged detainee and the report of the Warrant Officer, this petition is dismissed. However, either of the parties would be at liberty to avail of their remedies as per law, if they are aggrieved of any action of the other party.

27.1.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No