

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

236

CRWP-327 of 2017

Date of decision: 29.03.2017.

Balkaran Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE (DR.) SHEKHER DHAWAN

Present: Mr. A.S. Cheema, Advocate
for the petitioner.

Mr. Rajat Bansal, AAG, Punjab.

Ms. Supriya Garg, Advocate
for respondents No.4 to 8.

SHEKHER DHAWAN, J.

Power of Attorney filed on behalf of respondents No.4 to 8 is taken on record.

The present petition has been filed under Articles 226/227 of the Constitution of India, praying for the issuance of a writ in the nature of habeas corpus seeking release of the detenue-Maninder Kaur from the custody of respondents No. 4 to 8.

The detenue-Maninder Kaur, who is identified by counsel for the petitioner, has appeared before this Court and got recorded her statement which is to the following effect: -

“At present I am residing with my parents, however, I do not want to reside with them, as I have performed marriage with, petitioner-Balkaran Singh on 19.01.2017, who is my husband. I want to go and stay along with him in matrimonial home. I may be sent with Balkaran Singh, from this Court today itself.”

It is not disputed by the parties that detenue-Maninder Kaur is a major and that being so, it is entirely up to her to stay with whomsoever she wishes to as per her own will. Resultantly, she is free to leave this Court in the company of the petitioner, if she so desires.

It is made clear that this order shall not be taken to validate the alleged marriage of the petitioner with detenue-Maninder Kaur or protect them from legal action for violation of law, if any, committed by them.

A copy of this order be handed over to learned State counsel under the signatures of the Bench Secretary.

(SHEKHER DHAWAN)
JUDGE

29.03.2017

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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No