

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

Crl.W.P.No.77 of 2017

Date of Decision: 2.2.2017

Jagjit Singh

..Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Suresh Kumar Arya, Advocate for the petitioner.
Mr.Sidakmeet Sandhu, AAG Punjab.
Mr.Sanjeev K.Sharma, Advocate for respondent No.5.

AMOL RATTAN SINGH, J.

By this petition, the petitioner has sought a writ in the nature of habeas corpus seeking the release of the alleged detainee, Jagmit Kaur, stated to be the wife of the petitioner, whom he contends in the petition has been illegally kept in detention by respondents No.5 to 8, of whom respondent No.5 is stated to be the father of the alleged detainee, respondent No.6 her brother and respondents No.7 and 8 other relatives.

Pursuant to notice having been issued on 20.1.2017, the alleged detainee, Jagmit Kaur, has been produced in the Court today duly escorted by a lady police official. She states that she is 21 years old and on a specific query put to her repeatedly, as to whether she has been illegally detained by her father and respondents No.6 to 8, she has categorically stated that she is staying with her father of her own free will and does not want to go with the petitioner. However, she has admitted that she did get married to the petitioner and she and the petitioner had filed CRM-M 40204 of 2016, seeking protection of life and liberty, on account of the fact that they had

got married to each other of their own will. A copy of the order passed in that petition on 10.11.2016 has been annexed as Annexure P-4 with the petition.

When notice was issued in that petition, a coordinate Bench had issued an interim direction that the petitioners would not be forcibly taken in custody by any of the respondents on the allegation that she had been kidnaped or abducted by the present petitioner in (CRWP No.77 of 2017), who was petitioner No.2 in CRM-M No.40204 of 2016. That order was subsequently confirmed while disposing of CRM-M No.40204 of 2016 by this Court on 20.12.2016. A copy of that order has also been annexed as Annexure P-5 with the present petition.

Be that as it may, this being a writ petition seeking habeas corpus for the production of an alleged illegal detainee and the allegedly detained person having come to Court and stated that she has not been illegally detained and does not wish to go back with the petitioner even though she had married him, nothing further remains to be stated in this petition.

It may be noticed here that the alleged detainee, namely, Jagmit Kaur has again been asked by this Court as to whether she wishes to go back with the petitioner or not, to which she has replied firmly in the negative.

In view of the above, with nothing further said on the rights of any of the parties against each other, the present petition is dismissed. The aforesaid Jagmit Kaur would naturally be free to go wherever she wishes.

(Amol Rattan Singh)
Judge

2.2.2017
Meenu