

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

CRWP No.786 of 2017 (O&M)
DATE OF DECISION:18.07.2017

JAGAN NATH

... Petitioner

V.

STATE OF PUNJAB AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arihant Jain, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking a writ in the nature of habeas corpus directing official respondents to produce the alleged detainee Amandeep Kaur who is his daughter and is illegally and unlawfully detained by respondent No.4 He has further sought a direction for initiation of legal action against respondent No.4.

Learned counsel for the petitioner contends that respondent No.4 Satigur Singh had earlier filed petition along with alleged detainee Amandeep Kaur for protection and a coordinate Bench of this Court in CRM-M-20481 of 2017 while disposing of the petition on 01.06.2017 had directed the Senior Superintendent of Police to consider their representation and take appropriate action in accordance with law to ensure the protection of life and liberty of the petitioners therein. It has also been recorded by the Court in the order that it does not express any opinion on the merits, particularly with regard to the validity of the marriage and that the order shall not be taken to validate the alleged marriage of the petitioners to protect them from legal action for violation of law. The direction had been

issued by this Court only for the purpose of protecting their life and liberty.

There was no opinion on the validity of the marriage or any protection to the petitioners from violation of law, if any, committed by them.

Therefore, as the alleged detainee has already approached this Court and has been granted protection, a writ in the nature of habeas corpus is not required to be issued. I do not also consider appropriate to issue or initiate any action against respondent No.4 and the alleged detainee. The petitioner shall be at liberty to adopt any appropriate proceedings which may be available to him under the law.

The petition stands disposed of accordingly.

July 18, 2017

SwarnjitS

(ANUPINDER SINGH GREWAL)

JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No