

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

**CRWP NO. 893 OF 2017 (O&M)
DECIDED ON : 21.08.2017**

Sunny Kumar

...Petitioners

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Sunny K. Singla, Advocate,
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

Mr. Manu Loona, Advocate,
for respondent No.4 and 5.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has sought issuance of writ in the nature of habeas corpus directing respondents No.2 and 3 to produce the alleged detainee Preeti Shukla, who is stated to be his wife and has been detained illegally by respondents No.4 and 5.

Learned State counsel has filed reply, wherein it is stated that date of birth of alleged detainee Preeti Shukla is 15.07.2000. A copy of her School Certificate has also been annexed as Annexure R-1. It is also stated that FIR has been registered against the petitioner for having enticed away the minor (alleged detainee) with an intention to marry her.

Learned State counsel, upon instructions from ASI Mehar Singh, states that FIR No.174 dated 20.08.2017 under Sections 363/366 IPC has also been registered against the petitioner.

Learned counsel for the petitioner has drawn my attention to report of the Members of Medical Board dated 29.07.2015 issued by L.M. Civil Hospital, Ludhiana, wherein it is stated that the age of alleged detainee Preeti Shukla was between 16 years 06 months to 18 years. A copy of the report is annexed as Annexure P-4 with the petition.

It is manifest from the aforementioned report that the medical examination of alleged detainee was conducted on 29.07.2015, wherein her age is stated to be 16 years 06 months to 18 years. As two years have elapsed since then, the current age of Preeti Shukla would be approximately 18 years 06 months to 20 years. The School Certificate of the petitioner also indicates that she is certainly more than 17 years of age at present.

The alleged detainee Preeti Shukla is present in Court and has clearly expressed her desire to live with the petitioner. She further states that she does not want to stay in Nari Niketan. She is currently staying with the petitioner and has come to this Court along with the petitioner.

In view of the above, I do not find any reason to sent the alleged detainee Preeti Shukla to Nari Niketan. She is at liberty to live with the petitioner.

Consequently, no further directions are called for in this case. However, nothing whatsoever, observed herein above, shall have any bearing on the merits of the cases registered against the petitioner.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

AUGUST 21, 2017
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Whether speaking/reasoned	:	Yes /	No
Whether reportable	:	Yes /	No