

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

CRWP No.1217 of 2017
Date of Decision: 30.01.2018

Mandeep Kumar Agnihotri

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present writ petition has been filed under article 226 of the Constitution of India for issuance of writ in the nature of Habeas Corpus directing respondents No. 1 to 3 for releasing detainee, namely, Jashanjot who got married with the petitioner on 18.03.2017 at chandigarh.

In pursuance of the notice of motion issued by this Court, State of Punjab has filed status report by way of affidavit of Sukhamrit Singh Randhawa, PPS, Deputy Superintendent of Police, City-2, District Patiala and paragraph 6 of the same reads as under:

'That in this regard it is submitted that as the alleged detainee who is at present living at MACAU has also sent the detailed hand written statement to his father which is present by respondent No. 4 before the Investigating Officer during the enquiry process, from the perusal of the same it has come to the notice that the relations between the petitioner and her wife Jashanjot Kaur are not good and the petitioner was used to beat her therefore his wife does not want to live with him and being frustrated from the denial of his wife to live with him the

petitioner is levelling false allegations against his father in law i.e. respondent No.4, actually his wife has been fed up from the behaviour of the petitioner and also wanted to take divorce from him. The copy of the hand written statement of alleged detainee namely Jashanjot Kaur dated 22.10.2017 is annexed as Annexure R-6 and its translation in English as Annexure R-6/T.'

Perusal of the relevant para reproduced hereinabove makes it appropriately clear that the alleged detainee is at present living at MACAU and she has sent her detailed hand written letter to his father. The same was presented to the Investigating officer during investigation in which it is clearly mentioned that relation between the petitioner and detainee are not good and petitioner used to beat her, therefore, she does not want to live with him. It has also been submitted that being frustrated from the denial of his wife to live with the petitioner he is levelling false and base less allegations against the father of the detainee and in these circumstances it cant be termed that Jashanjot is a detainee at all rather, she is living in MACAU with her free consent.

In view of the above, no further directions are required to be issued.

Disposed of.

[MAHABIR SINGH SINDHU]
JUDGE

January 30, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no