

CRWP No.102 of 2018

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

**CRWP No.102 of 2018 (O&M)
Date of Decision: 01.03.2018**

JASWINDER KAUR

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Samuel Gill, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. Rajesh Nain, Advocate
for respondents No.4 and 5.

RAJ MOHAN SINGH, J.

On 05.02.2018, following order was passed by this
Court:-

*“Mr. Rajesh Duhan, Advocate appears on behalf
of respondents No.4 and 5.*

*In compliance of order dated 23.01.2018,
respondent No.3 has produced the detainee Antarpreet
Kaur in Court.*

*The Court has interacted with the detainee in the
presence of learned counsel for the parties.*

*During course of interaction, it came to be known
that the statement of the detainee has already been*

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recorded under Section 164 Cr.P.C. before the Magistrate in the context of FIR No.155 dated 08.07.2017 under Sections 494, 420 IPC, Police Station Mehaban, District Ludhiana got registered by the detenue against respondent No.4.

At this stage, without adverting to any other fact, it would be just and appropriate to defer the proceedings beyond 26.02.2018 i.e. the date fixed for second motion in a divorce case of respondent no.4 against his first wife.

Deferred to 01.03.2018.

Since Antarpreet Preet has disclosed some incriminating facts and is willing to go to Nari Niketan at this stage, therefore, it would be just and appropriate to direct respondent No.3 to take her to Nari Niketan, Sector 26, Chandigarh with a direction to produce her on the next date of hearing.

A copy of this order be given to the learned State counsel under the signatures of Bench Secretary of this Court as per rules.”

Today, Antarpreet Kaur has been produced from Nari Niketan. Second motion in matrimonial proceedings between respondent No.4 and his earlier wife has been recorded before the competent Court.

On being asked, Antarpreet Kaur has shown her willingness to go with respondent No.4.

Learned counsel for the petitioner however controverted the statement of Antarpreet Kaur, but she was firm enough to deny the claim of the petitioner and persisted to go

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with respondent No.4.

At this stage, without meaning anything on the merits of criminal case arising out of FIR No.155 dated 08.07.2017 registered under Sections 494, 420 IPC at Police Station Mehaban, District Ludhiana as well as in respect of marital status of respondent No.4 arising out of proceedings under Section 13-B of the Hindu Marriage Act, viz-a-viz. his earlier wife, I deem it appropriate to allow Antarpreet Kaur to go as per her own wishes.

Petition stands disposed of accordingly.

A copy of this order be given to the learned State counsel under the signatures of Bench Secretary of this Court as per rules.

March 01, 2018

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No