

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

**Criminal Writ Petition No.653 of 2018
Date of decision: 24.08.2018**

Navjot Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Jatinder Jit Kaur, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab
for respondents No.1 to 3-State.

Mr. Surinder Sharma, Advocate
for respondents No.4 and 5.

Daya Chaudhary, J. (Oral)

This petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus for release of detenue-Ramanpreet Kaur, who is stated to be wife of the petitioner and has been kept in illegal custody by respondents No.4 and 5, who are her parents.

Notice of motion was issued in the case on 08.08.2018.

In response to notice of motion, reply has been filed by learned counsel for respondents No.4 and 5 in the Court today and the same is taken on record.

It has been submitted by learned counsel for the petitioner that the petitioner and detenue-Ramanpreet Kaur wanted to marry each other and they filed Criminal Misc. No. M-40236 of 2017 for protection of their lives and liberty, which was disposed of vide order dated 27.10.2017 with a

direction to Superintendent of Police Kapurthala to look into the matter and take action in accordance with law. Learned counsel also submits that the detenue went to her parental house to meet her parents but she was illegally detained by them against her wishes. It has also been mentioned in the petition that the life and liberty of the alleged detenue is in danger.

Detenue-Ramanpreet Kaur is also present in the Court and has been identified by SI Jarnail Singh. She is also having Aadhar Card No.3640 3574 9881 with her. She has stated that she is residing with her parents as per her free will and there is no pressure upon her. She has not disputed the marriage with the petitioner but she does not want to remain with the petitioner. She has also stated that she has filed a divorce petition.

Keeping in view the submissions made by alleged detenue-Ramanpreet Kaur, it cannot be case of illegal detention. Accordingly, the petition being devoid of any merit is dismissed.

However, it has been submitted by the detenue that serious threat is there not only to her but her family members also.

In case, any threat is there at the instance of the petitioner, she is at liberty to move representation to the Police Authorities and in case, any such representation is made by her or her family members, the concerned Police Authorities are directed to take action in accordance with law.

24.08.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes