

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

LPA No. 1875 of 2018 (O&M)

Date of Decision: 03.12.2018

Amritpal Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Himanshu Rao, Advocate,
for the appellant.

KRISHNA MURARI, C.J.(oral)

This intra-court appeal under Clause X of the Letters Patent is directed against the judgment and order dated 20.11.2018 passed by the learned Single Judge dismissing the habeas corpus filed by the appellant-petitioner for release of the detinue Ranvir Kaur on the allegations that she is being illegally detained by respondent Nos. 7 to 9 who are her parents and other relatives.

2. The basis for filing of the habeas corpus was that the appellant was in love with detinue Ranvir Kaur and 2-3 days back she left her maternal home and came to live with him but subsequently she was taken away and was being illegally detained.

3. Learned Single Judge, however, dismissed the writ petition for various reasons and also imposed a costs of Rs. One lac. It has been contended before us that the appellant as well as the detinue both are of tender age and fell in love with each other. On account of various phone

calls made by the detenue, the appellant was instigated and compelled to file the habeas corpus.

4. Be that as it may we are not inclined to interfere with the part of the impugned order whereby the petition has been dismissed because from the pleadings we find that the appellant himself is aged about 20 years and has not even attained the age of majority prescribed for marriage. However, considering the totality of the facts and circumstances, imposition of costs of Rs. One lac does not prima-facie appear to be justified.

5. Accordingly, we modify the order of the learned Single Judge and set aside the order of imposition of costs of Rs. One lac upon the appellant while maintaining the order of dismissal of the writ petition. The appeal accordingly stands disposed of to the extent of above directions.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

03.12.2018
ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√