

CRM-M-608-2019

Date of Decision:30.01.2019

SANDEEP KAUR AND ANOTHER

...Petitioners

Versus

THE STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Varun Sharma, Advocate
for the petitioners.

Mr. J.P.Rattrra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to respondents to protect the life and liberty of the petitioners namely, Sandeep Kaur and Talwinder Singh.

Learned counsel for the petitioners has placed on record a copy of order dated 23.01.2019 passed in CRWP No.39 of 2019 filed by present respondent No.4-Satnam Singh (father of Sandeep Kaur), in which following order was passed:-

“Today, detenue-Sandeep Kaur has been produced in the Court by the authorities of Nari Niketan, Chandigarh. She states that she was residing with respondent No.4-Talvinder Singh as per her own wish and now also, she wants to go with respondent No.4.

Learned counsel for respondent No.4 submits that respondent No.4 has also come, but due to apprehension, he is sitting in his Chamber. He has also produced copy of order dated 10.01.2019 passed in CRM-M-608-2019 by a Coordinate Bench of this Court to show that detenue-Sandeep Kaur and respondent No.4 have already filed a petition seeking protection and next date in that petition is fixed as 30.01.2019 and interim protection has been allowed to them. He also submits that respondent No.4 is ready to pay the expenses of conveyance.

Since this is a habeas corpus petition and detenue-Sandeep Kaur, who is admittedly aged about 22 years and wants to go with No.4, therefore, she is allowed to go with respondent No.4. She has not been detained illegally by respondent No.4, as alleged in the petition.

In view of the above, there is no merit in the present writ petition and the same is dismissed.

ASI Gurvyam Singh, present in Court, who produced the detenue on 22.01.2019, is directed to take Sandeep Kaur from the authorities of Nari Niketan and leave her alongwith respondent No.4 in a safe and sound manner at the residence of respondent No.4 at the expenses of detenue and respondent No.4. ASI Gurvyam

Singh will be fully responsible for their protection till reaching the house of respondent No.4.

Copy of this order be given dasti to learned State counsel as learned counsel for respondent No.4 under signatures of the Bench Secretary of this Court.”

In view of the same, this petition is disposed of with a direction to respondent No.3-SHO, Police Station-Sarai Amanat Khan, Tarn Taran to look into the grievance of the petitioners and assess if there is any threat to their life and liberty and take appropriate action, in accordance with law.

(ARVIND SINGH SANGWAN)

JUDGE

January 30, 2019

Jyoti-I Whether speaking/reasoned Yes/No Whether Reportable Yes/No