

CRWP-39-2019

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

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Date of Decision: 23.01.2019

Satnam Singh

.. Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Anurag Chopra, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Varun Sharma, Advocate,
for respondent No.4.

Inderjit Singh, J.(Oral)

Instant writ petition has been filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. for issuance of direction to respondents No.2 to 3 to get detenue-Sandeep Kaur released from the illegal custody of respondent No.4.

Notice of motion was issued.

Learned State counsel appeared on behalf of respondents No.1 to 3. Respondent No.4 has also appeared through his counsel.

Heard.

Today, detenue-Sandeep Kaur has been produced in the Court by the authorities of Nari Niketan, Chandigarh. She states that she was

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earlier 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 detainee-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 detainee-Sandeep Kaur, who is admittedly aged about 22 years and wants to go with respondent 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 detainee 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 detainee and respondent No.4. ASI Gurvyam Singh will be fully responsible for their protection till reaching the house of respondent No.4.

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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.

23.01.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No