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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-157-2019

Date of decision-25.02.2019

Gurpreet Kaur

....Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munish Raj Chaudhary, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Gurpreet Kaur has filed this petition under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus directing the official respondents for effecting the release of the detenue, namely, Amanjot Kaur (daughter of the petitioner) from illegal custody of private respondent No.4, namely, Satnam Singh and respondent No.5, namely, Dharampreet Singh.

On 11.02.2019, learned State counsel was directed to verify the facts alleged in this petition. Learned State counsel has produced affidavit of Amanjot Kaur daughter of Sukhjinder Singh wherein she has mentioned that she has left her parents house to avoid her forcible marriage with someone at the instance of her parents, as she is willing to marry Dharampreet Singh son of Satnam Singh. It is further stated that she is living with Dharampreet

Singh with her own will and consent.

Further, a copy of the order dated 08.02.2019 has been produced which reveals that Dharampreet Singh and Amanjot Kaur have jointly filed a petition i.e. CRM-M-6226-2019 seeking direction as they wanted to perform marriage. The Court has passed the following order:-

“Petitioners preferred the present petition under Section 482 Cr.P.C. for issuance of directions to the State to provide protection in the matter as they wanted to perform marriage.

Notice of motion for 27.03.2019.

On asking of the Court, Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab accepts notice on behalf of respondents No.1 to 3. A complete copy of paper-book be provided to him during the course of the day.

Meanwhile respondent No.2-Senior Superintendent of Police, District Fatehgarh Sahib to assess the threat perception to the petitioners and to provide adequate security, if so required. However, the order passed by this Court shall not be a bar for taking legal action under any penal provision of law.”

Learned counsel for the petitioner does not dispute this fact and acknowledges that indeed the petition stands filed and is pending for 27.03.2019. It is also not disputed by learned counsel for the petitioner that Gurpreet Kaur (petitioner) is one of the respondent in the said petition. Since the petition by Amanjot Kaur and Dharampreet Singh already stands filed prior to the present petition and considering the order passed therein, no

ground is made out for interference in this petition. However, it shall be open for the petitioner to raise all the pleas raised in this petition before this Court in CRM-M-6226-2019.

Disposed off.

(MANOJ BAJAJ)
JUDGE

25.02.2019
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No