

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP-249-2019 (O&M)
Date of decision : 10.12.2019

Arvind Kumar Singh

... Petitioner

VERSUS

UT Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Davinder Pal Soni, Advocate,
for the petitioner.

Ms. J.S. Toor, APP, UT, Chandigarh.

Mr. Vijay Lath, Advocate,
for respondent No.5.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

Petitioner-Arvind Kumar Singh had approached this Court seeking issuance of writ in the nature of Habeas Corpus seeking release of his daughter namely Monika who was alleged to have been illegally detained by respondents No.4 to 6. As per the averments made in the petition, the date of birth of Monika detinue was 8.12.2001. The aforesaid date of birth has been verified and as per short reply filed on behalf of respondents No.1 to 3, the date of birth had been found to be 8.12.2001.

Vide order dated 13.5.2019, the detinue who had been produced in the Court, was ordered to be lodged in Ashiana, Sector 15, Chandigarh. Today, the detinue has again been produced before this Court

has solemnized marriage with respondent No.5 namely Mohd. Bilal and that she wishes to reside with him and in fact, apprehends threat to her life at the hands of her parental family.

Keeping in view the aforesaid statement of the detainee and the fact that she is aged more than 18 years as on date, it is ordered that the detainee be released from Ashiana, Sector 15, Chandigarh. She would be at liberty to reside wherever she wishes. Since it has been stated by the detainee that she wishes to reside with her husband in her in-laws house at Dera Bassi and that she apprehends threat as on date, learned State counsel for UT is requested to make necessary arrangement for conveying the detainee to Police Station Dera Bassi accompanied by a lady constable today itself after the detainee is permitted to collect her belongings from Ashiana, Sector 15, Chandigarh. The SHO, Dera Bassi is directed to ensure that the detainee is duly escorted to her in-laws' residence in Dera Bassi accompanied by a Lady Constable.

With these observations and directions, the present petition stands disposed of.

A copy of this order be given to the learned State counsel for UT, Punjab and to learned counsel for respondent No.5 under the signatures of Superintendent/Bench Secretary of this Court.

December 10, 2019

Paritosh Kumar

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No