

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Writ Petition No.306 of 2019

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Date of decision:04.04.2019

Sukhwinder Singh

...Petitioner

v.

State of Punjab and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Ms. Manisha, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the respondents No.1 to 3.

Mr. Navraj Singh, Advocate for respondents No.4 and 5.

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Inderjit Singh, J.

The petitioner has filed this criminal writ petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for the release of detenue Manpreet Kaur wife of Sukhwinder Singh daughter of Balveer Singh resident of Village Kotla, Tehsil Rajpura, District Patiala, from illegal custody of respondents No.4 and 5 as she has been forcibly taken by respondents No.4 and 5 from High Court premises, Chandigarh and kept somewhere at hidden place.

Notice of motion was issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondents No.1 to 3 and Mr. Navraj Singh, learned Advocate has appeared for respondents No.4 and 5 and contested this criminal writ petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Respondent No.3-Station House Officer, Police Station Rajpura, District Patiala was directed to visit at the given addresses of respondents No.4 to 7 and inquire into as to whether detenue-Manpreet Kaur has been confined illegally and against her wishes by respondents No.4 to 7. It was directed that if it is found so, then she be produced before this Court immediately. Otherwise, a detailed report be submitted on the next date of hearing.

Mr. Navraj Singh, learned Advocate appeared for respondents No.4 and 5. Learned State counsel has filed reply by way of affidavit of Manpreet Singh, PPS, Deputy Superintendent of Police, Rajpura, District Patiala, stating therein that the statement of detenue-Manpreet Kaur has been recorded in which she has stated that her parents married her with Baljinder Singh on 28.3.2019 with her consent. She has not been kept as detenue by any one. After getting married, she is residing with her husband Baljinder Singh happily. Earlier she was having friendship with Sukhwinder Singh, who has filed this petition. Sukhwinder Singh wanted to marry her but she was not ready to marry with him.

Keeping in view of the statement of the detenue and the report by the State, I find no merit in this petition being frivolous, hence no further action is required to be taken in this matter and the same is dismissed.

April 04, 2019.

(Inderjit Singh)
Judge

hsp

[3]

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No