

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22422-2019 (O&M)
Date of Decision:-17.5.2019

Gurpreet Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.P.S. Tung, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking issuance of directions to respondents No.2 and 3 not to harass the petitioner at the instance of respondents No.4 to 6.

It is averred in the petition that wife of respondent No.6 namely Kamlesh Kaur, wife of Jagjit Singh, is missing since 24.4.2019 and false allegations have been made against the petitioner that he has forcibly taken her away from her house illegally and has confined her. It is further averred that infact Kamlesh Rani, wife of respondent No.6 Jagjit Singh, had earlier been thrown out from her matrimonial home by her husband and thereafter respondent No.6 had approached this Court by way of filing a Habeas Corpus petition i.e. CRWP No.400 of 2019, wherein the present petitioner was arrayed as respondent No.4 which was disposed of on 8.5.2019 by passing the following order:-

“This is a petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus to trace out and produce detinue Kamlesh Kaur, wife of the petitioner, who has been illegally confined by respondent No.4 Gurpreet Singh.

Notice of motion was issued. Respondent No.3-SHO, Police Station City Meharban, Ludhiana was directed to visit the given address of respondent No. 4 and inquire into as to whether detainee-Kamlesh Kaur has been confined illegally and against her wishes by respondent No.4. If it is found so, then she be produced immediately before this Court. Otherwise, a detailed report be submitted on the date fixed.

Reply by way of affidavit of SHO, Police Station Meharban, District Ludhiana respondent No.3 has been filed. Same is taken on record.

Alleged detainee Kamlesh Kaur is present in the Court and she made the statement before this Court that she was residing with respondent No.4 Gurpreet Singh as per her own wish. He has not illegally detained her against her wishes. She further states that petitioner Jagjit Singh is her husband, but she was residing with respondent No.4 Gurpreet Singh as per her own consent.

Keeping in view the statement of detainee Kamlesh Kaur, no further action is required in this matter.

Disposed of accordingly.”

In view of the aforestated position and without commenting anything on the merits of the case, the petition is disposed of with a direction to respondent No.2-Commissioner of Police, Ludhiana, Punjab to look into the matter and to dispose of the representation dated 9.5.2019 (Annexure P-1), moved by petitioner, in accordance with law, at the earliest.

A copy of this order alongwith representation dated 9.5.2019 (Annexure P-1) be sent to respondent No.2-Commissioner of Police, Ludhiana, Punjab, so as to enable him to do the needful at the earliest.

17.5.2019

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge