

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

CRWP-613-2019

Date of decision: October 17, 2019

Jaswant Singh

....Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Parvinder Singh Virk, Advocate
for respondents No.4 to 7.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in the instant petition is for issuance of writ in the nature of *habeas corpus* directing the respondents to produce the detinue, namely, Nimratdeep Kaur, wife of petitioner-Jaswant Singh and to release her from the custody of respondents No.4 to 7, who are the parents, brother and uncle of Nimratdeep Kaur.

The Warrant Officer has submitted a report dated 18.7.2019 that the detinue is residing with her parents of her own sweet will and without any pressure and she recorded a statement before him that she is not illegally detained in any manner.

Thereafter, the detinue appeared before this Court on 30.7.2019 and again reiterated her version that she is residing with her parents of her own free will and without any pressure. The case was again adjourned for today.

Today, the petitioner as well as Nimratdeep Kaur are present. The case was referred to the Mediation and Conciliation Centre of this Court for counselling of the parties and recording their statements.

The Mediator, has recorded the statement of petitioner-Jaswant Singh, who has stated that he has legally wedded with Nimratdeep Kaur and willing to take her. However, Nimratdeep Kaur has stated that she do not want to go with petitioner-Jaswant Singh and want to stay with her parents.

In view of the consistent stand of detenue-Nimratdeep Kaur before the Warrant Officer on 17.7.2019 when her statement was recorded, again on 30.7.2019 when she appeared before this Court and today before the Mediator when she again recorded her statement that she want to stay with her parents, it cannot be held that the detenue, who is aged about 22 years, is in illegal detention of her parents.

Accordingly, this petition is dismissed.

The detenue is set free to stay with her parents.

October 17, 2019
satish

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No