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

CRWP No. 908-2019 (O&M)

Date of Decision: 16.12.2019

Manjeet Singh

... Petitioner

Versus

State of Punjab through Secretary and others

... Respondents

CORAM : Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present : Mr. R.S. Bains, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG Punjab.

JASGURPREET SINGH PURI, J.(Oral)

Present petition has been filed in the nature of Habeas Corpus for the release and immediate safety of detenue Dilpreet Kaur daughter of Rajinder Singh.

On 18.10.2019, notice was issued to respondents No. 1 to 4 on the basis of allegations made by the petitioner, who is the husband of Dilpreet Kaur that she is under illegal confinement. On the basis of notice, learned State counsel filed status report by way of affidavit of Mandeep Singh Sidhu, PPS, Senior Superintendent of Police, Patiala by stating that he had directed the DSP to conduct a fact finding inquiry into the allegations levelled by the petitioner, by associating the petitioner and the alleged detenue, namely Dilpreet Kaur as well as the private respondents and other respectables of village. Thereafter, the fact finding inquiry was conducted in this regard.

It is further stated that detainee is aged about 21 years and student of B.Com 3rd year and that she is staying with her parents at her parental place and want to stay with them only and she does not have any threat from anybody. It is further stated in the affidavit that the petitioner got recorded his statement that he was in relationship with aforesaid Dilpreet Kaur since last 3-4 years and the family members came to know about the relationship and therefore, she is being harassed by the family members. It is further stated that detainee Dilpreet Kaur got recorded her statement before the SDM, Rajpura on 18.10.2019, in which she had given her consent to go with her parents with her own sweet will. It has been further stated in the affidavit that the alleged detainee Dilpreet Kaur has now during the inquiry conducted by Deputy Superintendent of Police, Ghanour has got recorded her statement that her date of birth is 22.10.1998 and therefore, she is more than 21 years of age and that she is staying with her parents with her own free will and she has no threat from anybody and she wants to stay with them only.

However, at this stage, learned counsel for the petitioner has brought to the notice of the Court, on the basis of instructions given to him by petitioner, who is present in the Court, that yesterday he has got married to the aforesaid Dilpreet Kaur. The aforesaid Dilpreet Kaur is also present in the Court today and she has been identified by SI Surinder Singh by specifically stating in the Court that she is the same Dilpreet Kaur, who was the alleged detainee. The petitioner is identified by learned counsel for the petitioner.

In view of the changed circumstances to the effect that the petitioner and the alleged detainee Dilpreet Kaur have married and both of them are present in the Court and learned counsel for the petitioner has been identified the petitioner and detainee-Dilpreet Kaur has been identified by the police official i.e. SI Surinder Singh and learned State counsel submits that no further action is required in the

present case regarding recovery of girl in view of the changed circumstances.

In view of the above, no further action is required to be taken by this Court regarding recovery of the girl, in the present petition.

Learned counsel for the petitioner has, at this stage, pointed out that there is likelihood of potential threat from the parents of the girl and therefore, prays for protection of life and liberty of both the petitioner and detenue Dilpreet Kaur.

In view of the above, present petition is disposed of with a direction to respondent No.3 that he will ensure that the life and liberty of the petitioner and detenue-Dilpreet Kaur is protected. Further, it is made clear that this will not have any expression of opinion on the validity of the marriage of the petitioner and detenue Dilpreet Kaur and this will not be construed as if any seal has been put by this Court on the validity of the marriage. It is further made clear that the above stated direction is only for the purpose of protection of the life and liberty of the petitioner and detenue-Dilpreet Kaur from the hands of the parents or relatives of the girl and it would not be construed as if the police would grant any protection for any other unlawful activity if any of the petitioner and his wife Dilpreet Kaur.

Disposed of.

(JASGURPREET SINGH PURI)
JUDGE

16.12.2019
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No