

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

CRWP No. 980 of 2019(O&M)

Date of decision: - 14.11.2019

GEETA DEVI

...Petitioner

Versus

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Petitioner in person with
Mr. Arnav Kumar Sood, Advocate.

Mr. M. S. Nagra, AAG, Punjab.

Mr. Shivoy Dhir, Advocate for respondent No. 4 and 5.

Respondent No. 7 in person with
Mr. Manoj K. Tanwar, Advocate.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed the present petition under Articles 226 of the Constitution of India in the nature of Habeas Corpus for issuance of direction to the official respondents to produce/release the detenu, namely, Anita Kumari, aged 23 years (daughter of the petitioner), in the Court from the alleged illegal custody of the private respondents.

The averments contained in the present petition are that Anita Kumari was earlier married to respondent No. 7-Soni Deval Yadav and that when she was at her parental house, she had left the said house in the absence of the petitioner and her husband, when they had gone for the work. It is further averred that the petitioner suspects that her daughter was forcibly taken away by respondent No. 4- Balveer.

Pursuant to the notice of motion issued on 19.10.2019, the learned counsel for the private respondents have put in appearance and filed their Vakalatnamas, which are taken on record.

Learned counsel appearing for respondent No. 4 states that Anita Kumari is presently residing with respondent No. 4 of her free will and volition. It is further stated that respondent Nos. 4 and 5 had at no point of time used any kind of force for detaining Anita Kumari. It is thus, contended that the allegations contained in the petition qua the said respondents being based on suspicion, the petition is liable to be dismissed.

Today, the alleged detenu-Anita Kumari is present in Court. She states that she had left her parental house of her own and now she is residing with respondent No. 4 i.e. Balveer. She further states that she does not want to return to her parental house.

The said statement was made by Anita Kumari in the very presence of the petitioner in the Court.

In view of the above, no further orders are called for in the present petition. The same is accordingly disposed of.

However, the present order shall have no bearing of any kind on the proceedings arising out of FIR No. 381 dated 26.11.2018 registered under Section 346 IPC, at Police Station Sahnewal, District Ludhiana, against respondent No. 4-Balveer.

(HARNARESH SINGH GILL)
JUDGE

14.11.2019
Mangal Singh

Whether reasoned/speaking?	Yes
Whether reportable?	No