

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

CRWP No.3520 of 2020 (O&M)
Date of Decision: June 11, 2020

Labh Chand

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Arora, Advocate
for the petitioners.

Mr. Gaurav Dhuriwala, Sr. DAG Punjab.

JAISHREE THAKUR, J. (Oral)

This criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for releasing of detenue Vijeta @ Malti, daughter of the petitioner.

Learned counsel for the petitioner would contend that respondent No.4-Sharanjit Singh has abducted his elder daughter namely Malti, who is studying in Class XI at Jalandhar. She went out of her parental home on 22.05.2020, but did not return back and on enquiry, the petitioner was informed that respondent No.4 had taken her away on his motorcycle. Learned counsel for the petitioner further contends that earlier

too, a complaint had been lodged against respondent No.4 as he had taken his daughter on 15.05.2019 and his daughter was recovered from his custody on 21.05.2019. It is submitted that a compromise was effected between the parties that respondent No.4 would not follow his daughter Malti. Counsel for the petitioner contends that whereabouts of his daughter are unknown.

Pursuant to the criminal writ petition being filed, notice was issued in the matter to the respondent-State to verify the situation and file an affidavit.

Mr. Dhuriwala, learned State counsel, shares through whatsapp the status report by way of affidavit of Barjinder Singh, PPS, Assistant Commissioner of Police, West Jalandhar wherein, it is stated that the matter was enquired into and it has been found that marriage has been solemnized between respondent No.4-Sharanjit Singh s/o Jagjit Singh and the daughter of the complainant-petitioner on 19.05.2019 at Gurudwara Baba Gulab Das Ji, Baba Bakala Sahib, Amritsar. As per the status report, Malti is stated to be an adult, having been born in 1999.

I have heard learned counsel for the parties and have perused the status report.

Admittedly, the alleged detainee is 19 years of age, as has been submitted in para 2 of the petition itself. Being an adult, she has solemnized marriage with respondent No.4 and is currently residing in her matrimonial home of her own accord. Under these circumstances, this court is of the considered opinion that the matter does not call for any interference by this court.

In view of the above, the instant criminal writ petition stands disposed of.

June 11, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No