

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

CRWP No. 4809 of 2020
Date of decision 18.08.2020

Kaka Singh Sampley

...Petitioner

Vs.

State of Haryana and others

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mukesh Singla, Advocate,
for the petitioner.

Ms. Mahima Yahspal, D.A.G. Haryana

Ritu Bahri, J. (oral)

On 14.07.2020, this Court passed the following order:-

“The petitioner is seeking writ of habeas corpus to appoint a Warrant Officer to find out detenue namely Prabhjot Kaur D/o Balwinder Singh S/o Kaka Singh (grandfather of detenue) R/o VPO Barwala, Tehsil Barwala, District Panchkula Haryana at the premises of the respondents No. 6 to 8 or at any other place to be pointed out by the petitioner and get the detenue released from the illegal custody of respondents No. 6 to 8.

The petitioner is a grandfather of Prabhjot Kaur who is around 16 years of age. A divorce petition between his son and Sukhwinder Kaur i.e. mother of Prabhjot Kaur is pending. He has further stated that his son Balwinder Singh is undergoing treatment and is not doing any work. There are three children i.e. Arshdeep Singh, Gajender Singh and Prabhjot Kaur born out of this wedlock. Prabhjot Kaur has been taken away by her mother Sukhwinder Kaur.

Notice of motion.

Ms. Tanisha Peshwaria, Deputy Advocate General, Haryana accepts notice on behalf of the official respondents.

The Registry is directed to depute a responsible officer of the High Court as a Warrant Officer, who will visit the house of Sukhwinder Kaur and will find out as to whether the detenue Prabhjot Kaur wants to stay with her mother i.e. Sukhwinder Kaur or with her grandfather.

The fees/expenses of the Warrant Officer, to be assessed by the Registry, shall be borne by the petitioner. Upon deposit of the amount quantified by the Registry, the Warrant Officer shall discharge his duty duly adhering to the prevailing social distancing norms. He shall submit his status report to this Court by the next date of hearing.

List on 18.08.2020.”

Today, a report has been received from the Warrant Officer dated 15.07.2020 submitting therein that Prabhjot Kaur gave a statement (Annexure A) to the effect that she is staying with her mother in the house of Nani and Mama with her own wish and without any pressure. Further SHO, Police Station Tarouri enquired the matter and submitted his report dated 12.06.2020 to the higher authorities to the effect that Prabhjot Kaur is residing with her Nani and Mama with her own wish.

In view of the report of the Warrant Officer, no further orders are required to be passed in the present petition.

Disposed of.

However, the petitioner is at liberty to avail alternative remedy, if so advised, in accordance with law.

18.08.2020
G Arora

(RITU BAHRI)
JUDGE

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