

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

108

**CRWP-6133-2020
Date of decision : 15.09.2020**

Sandeep Singh

.....Petitioner

Versus

State of Punjab and others.

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Harpreet Singh Rakhra, Advocate
for the petitioner.

Mr. Sukhbeer Singh, Asstt. A.G. Punjab
for respondents No.1 to 4.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed present petition under Article 226 of the Constitution of India for issuance of a writ of habeas corpus for ensuring release of detenue-Gurjit Kaur, aged 23 years, wife of the petitioner from the illegal confinement of respondents No.4 to 9 by appointment of a Warrant Officer.

Briefly stated the petition has been filed on the averments that the petitioner was married with detenue-Gurjit Kaur on 06.03.2016 at Panj Garai Kalan, Faridkot. Respondent No.5 in connivance with respondents No.6 to 9 enticed and took away detenue-Gurjit Kaur. Respondents No.5 to 6 have illegally confined detenue-Gurjit Kaur. The petitioner made complaint to the police but no action was taken on the same. The petitioner received affidavit dated 31.07.2020 allegedly executed by his wife by post which appears to have been got executed under pressure.

Vide order dated 18.08.2020 Senior Superintendent of Police, Faridkot was directed to file status report regarding the allegations levelled in the petition and genuineness of the affidavit (Annexure P-1).

Status report by way of affidavit of Sh. Swarandeeep Singh, PPS, Senior Superintendent of Police, District Faridkot has been filed on behalf of respondents No.1 to 4. In the status report it has been mentioned that detenue-Gurjit Kaur has left her matrimonial home and has started living with respondent No.5 out of her own free will without any pressure. Statement of detenue-Gurjit Kaur has been recorded by ASI Buta Singh wherein she has submitted that affidavit dated 31.07.2020 was executed by her voluntarily. Copy of statement of detenue-Gurjit Kaur has also been attached with the status report.

Since detenue-Gurjit Kaur left her matrimonial home and is residing with respondent No.5 at Ratlam, Madhya Pradesh out of her own free will and has not been illegally detained by respondents No.5 to 9 as alleged by the petitioner no further action is required to be taken on the present habeas corpus petition which is disposed of accordingly.

However, the petitioner shall be at liberty to avail appropriate remedies in accordance with law for redressal of his grievances, if so desired.

15.09.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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