

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRWP No.7406 of 2020
Date of Decision: 14.10.2020

Sikandar Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Parvinder Singh, Advocate,
for the petitioner.
Mr. Pawan Sharda, Sr. DAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition filed under the provisions of Article 226 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of *habeas corpus* and for appointment of a Warrant Officer, with a roving writ to search for the detainee, Ishika Rani, stated to be his wife, at the premises of respondents no.5 to 8, or at any other place to be pointed out by the petitioner at the spot, and to get the detainee released, with her belongings, from the illegal custody of the said respondents.

On 24.09.2020, the following order had been passed:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

Pursuant to the order dated 18.09.2020, the alleged detainee, i.e. Ishika Rani, has been produced in court by way of video conferencing, she presently being at Police Station Lehra, District

Sangrur, as per learned State counsel.

Though she was initially visible and had been put a question whether she wanted to reside with the petitioner or her parents, thereafter, though she was not visible due to some connection problem, she was audible and had stated that though she married the petitioner, under pressure, she no longer wishes to reside with him and wishes to reside with her parents.

Learned State counsel seeks time to file an affidavit with regard to her age, annexing therewith also the statement that she is stated to have made before the learned Magistrate, under the provisions of Section 164 of the Cr.P.C.

On his request, adjourned to 14.10.2020.

It is to be noticed that though learned counsel for the petitioner is visible on the video conference, however due to some communication problem in his audio system, he too is unable to actually communicate with this court.”

Today, an affidavit of the SSP, Sangrur, has been forwarded by learned State counsel to the Reader of this court who in turn has forwarded it to me (dated 13.10.2020).

Alongwith the said affidavit, the statement of the alleged detenue (Ishika Rani), made before the learned SDJM, Moonak, on 22.09.2020, has been annexed, a perusal of which shows that other than making allegations that she was threatened by the petitioner and his family, finally she has stated that she wishes to go home to Bassi Pathana (where her family lives).

That being so, without making any comment on the allegations made by her, this petition is dismissed.

October 14, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No