

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

Sr. No.107

CRWP-7523-2020

Date of Decision: September 22, 2020

AMRIK SINGH

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioner, namely, Amrik Singh, for issuance of habeas corpus seeking release of his minor daughter, aged seventeen and a half years, who is stated to have been illegally detained by respondents No.3 to 10 at the instance of respondent No.3, Rinku Chaudhary. It is the grievance of the petitioner that his minor daughter was induced by respondent No.3 to marry her, taken away from home and she has been illegally detained by respondents No.3 to 10 in connivance with respondent No.3. Also, it is stated that qua missing of minor daughter of the petitioner, FIR No.151 dated 03.08.2020 has been

lodged at Police Station Rama Mandi, Jalandhar. However, despite registration of the FIR, no action is being taken against respondents and no effort has been made to know whereabouts of minor daughter of the petitioner. The petitioner has already filed complaint bearing No.2565-DCP 04-08-2020 ACP OPN before Commissioner of Police, but no action has been taken on the same till now. Also, it is the claim of the petitioner that he had filed a detailed representation to DGP, Punjab, in this regard on 09.09.2020, which is Annexure P-2, but however, no action has been taken upon the same as well.

Notice of motion.

Ms. Bhavna Gupta, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-State and submits that the efforts were made to trace Rinku Chaudhary, against whom, the FIR has been registered. It is also stated that Rinku Chaudhary is known by the name of Sushil also. He is waylaying the process of law under the garb of order of protection obtained by him from this Court on 03.09.2020. Also, it is stated that proclamation has been issued and thus PO proceedings are in the process.

However, in the light of the aforesaid circumstances, considering the representation (Annexure P-2) still pending adjudication and also the complaint, which is stated to have been made to Commissioner of Police, Jalandhar, the present petition is disposed of with the direction to the Commissioner of Police to look into the matter in the light of the assertions, so made by the petitioner in the complaint, which is so pending before him, and if he finds grievance of the petitioner to be genuine, then he is directed to take appropriate steps for its redressal, within a period of six

weeks from today onwards.

However, these observations are circumscribed only for the purposes of disposal of the present petition and shall not be construed as any expression on merits qua the age of daughter of the petitioner or factum of her marriage with respondent No.3, Rinku Chaudhary, and the validity thereof. Also, this order shall not have any impact on the investigation of the FIR bearing No.151 dated 03.08.2020 registered at Police Station Rama Mandi, Jalandhar.

Accordingly, the petition stands disposed of.

(ARCHANA PURI)
JUDGE

September 22, 2020
Himanshu

Whether speaking/reasoned	Yes
Whether reportable	Yes/No