

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRWP-7567-2020 (O&M)****Date of Decision: 18.12.2020**

Hardeep Singh

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Neeraj Madaan, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Vaibhav Nagori, Advocate, for detainee's mother.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. Petitioner – Hardeep Singh filed this petition seeking issuance of a writ in the nature of habeas corpus so as to get his wife Sukhjeet Kaur released, who according to him was illegally detained at Children Home, Gandhi Vanita Ashram, Tehsil and District Jalandhar.
2. Mr. Vaibhav Nagori, Advocate, has put in appearance on behalf of the detainee's mother and has stated that although the FIR (Annexure P-1) was lodged at her instance, but as of now the matter stands compromised and that she has no objection to the marriage of her daughter with the petitioner and that she may stay with her husband i.e. petitioner – Hardeep Singh.

3. There is no dispute as regards the fact that Sukhjeet Kaur is little less than 18 years and that even at the time of marriage, she was about 17 years old.
4. Learned State counsel has informed that pursuant to directions issued by this Court on 29.10.2020, the statement of Sukhjeet Kaur has been recorded in terms of Section 164 Cr.P.C., wherein she has stated that she wishes to reside with her husband i.e. the petitioner.
5. In view of the aforestated position, wherein Sukhjeet Kaur, who is less than 18 years, has stated to have performed marriage with petitioner Hardeep Singh and wishes to reside with him and in fact even her mother, who had earlier lodged the FIR, has no objection for the same, the petition is hereby disposed of with a direction that Sukhjeet Kaur, who is presently lodged at Children Home, Gandhi Vanita Ashram, Tehsil and District Jalandhar, be released forthwith so that she may reside with her husband i.e. the petitioner.
6. The Incharge, Children Home, to do the needful in this regard.

18.12.2020

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(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**