

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

**CRWP No.779 of 2019 (O&M)**

**DECIDED ON: 05.03.2020**

Palwinder Singh

..... Petitioner

V/s.

State of Punjab and Others

.....Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: None for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

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**JASGURPREET SINGH PURI, J. (ORAL)**

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The present petition has been filed under Article 226 of the Constitution of India seeking petition of Habeas Corpus for seeking direction to the respondent No.2 to release the detenue who has been alleged to be illegally detained by the private respondents.

In the present case, the notice was issued by this Court and the girl was produced before the Magistrate and her statement was also recorded. So far as the age of the detenue is concerned, learned State counsel has stated that even before the concerned Magistrate she has stated that she was major and had relied upon the certificate which was issued by Government Girls Secondary School, Dera Baba Nanak, District Gurdaspur that her date of birth is 2.11.1997 and therefore, it is not in dispute that the detenue is major. He has further submitted that the petitioner has stated before the Magistrate that she is now living happily with the petitioner and in fact, she is not living with the private respondents and is living with the petitioner who is her husband. She has stated that earlier she was

living with her parents but now, with the lady police official she was escorted to the petitioner where she is living with him happily.

Learned State counsel further submits that in view of the statement which has been made by the alleged detainee, the present petition would not sustain.

On 10.12.2019, the counsel for the petitioner was not present and therefore this Court had directed the Registry to this Court to inform the learned counsel for the petitioner to be present in the Court on the next date of hearing. The Registry has reported that the learned counsel for the petitioner has been informed telephonically. However, the learned counsel for the petitioner is not present today also. It appears that the petitioner is not interested to pursue the present case.

In view of the statement made by the petitioner before the Magistrate, according to the State counsel, nothing remains in the present petition and the same is hereby, dismissed.

**5<sup>th</sup> March, 2020**

Sonia Puri

**(Jasgurpreet Singh Puri)**

**JUDGE**