

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

**CRWP No.2161 of 2019
Date of Decision: 14.01.2020**

Gurpreet Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. M.S. Bains, Advocate
for the petitioner.

Mt. Ramandeep Sadhu, Sr. DAG, Punjab
for respondents No.1 and 2.

Mr. B.S. Sohal, Advocate
for respondents No.3 and 4.

RAJ MOHAN SINGH, J.(Oral)

This petition has been filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of habeas corpus, directing respondent No.2 to get released the detinue Gaganpreet Kaur wife of Gurpreet Singh (petitioner) who is claimed to be in illegal custody of respondents No.3 and 4.

On 16.12.2019, following order was passed:-

“Learned counsel for the petitioner submits that petitioner's wife, namely, Gaganpreet Kaur and son aged about two years have been unlawfully detained by the

private respondents.

Notice of motion.

Mr. Prabhjot Singh Walia, learned DAG, Punjab, accepts notice on behalf of respondents No.1 and 2. Let three copies of the complete paper book be supplied to him during the course of day. Respondents No.3 and 4 be served in the ordinary manner.

Respondent No.2 is directed to produce Gaganpreet Kaur and the minor son of the petitioner on the next date of hearing.

Adjourned to 14.1.2020.”

In compliance of the aforesaid order, respondent No.2 has produced Gaganpreet Kaur wife of Gurpreet Singh along with minor son Bhavnur Singh in the Court. Gaganpreet Kaur states that she is living with her parents of her own and she has not been detained by them. She does not wish to reside with her parents-in-law for the time being on account of matrimonial discord.

In view of aforesaid, custody of Gaganpreet Kaur with respondents No.3 and 4 cannot be held to be illegal. Petitioner may avail his legal remedy in accordance with law.

Disposed of.

14.01.2020

Prince

**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**