

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRWP No. 445 of 2021
Date of decision:25.01.2021

Manjit Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. S.K.Panwar, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Harjinder Singh, Advocate for respondents No.5 to 8.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 482 of Cr.P.C. for issuance of writ in the nature of habeas corpus, directing the officials respondents to produce the detenue, namely, Gurpreet Kaur, daughter of Manjit Singh-petitioner, who has been illegally and forcibly kidnapped and detained by private respondents.

While issuing notice of motion on 14.01.2021, this Court directed the State to file status report. In compliance thereof, a status report by way of affidavit of Senior Superintendent of Police, SAS Nagar, Mohali has been filed, wherein it has *inter alia* been deposed as under:-

“4. *That it is respectfully submitted that on*

12.01.2021 the father of the detenue Manjit Singh i.e. the present petitioner moved a representation before SHO, Police Station Derabassi, District SAS Nagar (Mohali) and informed the police that his daughter Gurpreet Kaur has gone /eloped with one boy Satinder Singh @ Babbi @ Satwinder Singh (respondent No.4). That the police immediate took action and started the search of the detenue and Satinder Singh @ Babbi @ Satwinder Singh, but the they could not be found. That thereafter, a FIR No.14 dated 14.01.2021 under Sections 363, 366 IPC, Police Station Derabassi, SAS Nagar (Mohali) was registered against Satinder Singh @ Babbi @ Satwinder Singh on the complaint of Manjit Singh, under the guidelines of Hon'ble Apex Court laid down in the Judgment "Lalita Kumari Versus State of UP."

5. That it is respectfully submitted that after the registration of FIR No.14 (Supra) the local police is searching for the detenue and accused Satinder Singh @ Babbi @ Satwinder Singh, thus raids were conducted on 14.01.2021, 15.01.2021, 17.01.2021 and 19.01.2021 at different places.

That during the raids the accused and the detenue were not found. But the family members of Satinder Singh @ Babbi @ Satwinder Singh informed the police that detenue and Satinder Singh @ babbi @ Satwinder Singh have solemnized their marriage and they have also filed one Criminal Writ Petition having number CRWP-436 of 2021 before this Hon'ble Court, which was withdrawn with liberty to file fresh with better particulars, vide order dated 15.01.2021. The copy of the order dated 15.01.2021 is attached as Annexure R-1.

That it is respectfully submitted that the

Satinder Singh @ Babbi @ Satwinder Singh and detenue have filed a fresh Criminal Writ Petition before this Hon'ble Court for protection of their life and liberty having No. CRWP-556 of 2021, which is pending for 21.01.2021.”

Respondents No.5 to 8, who are the parents and friends of Satinder Singh @ Babbi-respondent No.4, have put in appearance through Mr. Harjinder Singh, Advocate. He has brought to the notice of the Court that the fresh petition filed jointly by the alleged detenue and Satinder Singh has been disposed of by this Court vide order dated 21.01.2021, wherein a direction has been issued to the Senior Superintendent of Police, SAS Nagar Mohali-respondent No.2 to consider the representation submitted by them and to ensure that no harm is caused to the life and liberty at the hands of the private respondents. He has made a categoric assertion that the alleged detenue has married Satinder Singh of her own free will and without pressure and she is happily living with him.

No further orders are called for.

Petition, is accordingly, disposed of.

25.01.2021

pooja saini

**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No