

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

122

CRWP-506 of 2021

Date of Decision: 29.10.2021

Poonam Sharma

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Naresh Goptal Sharma, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 26.10.2021 the following order had been passed by this court,
reproducing therein the order earlier passed on 18.01.2021:-

“On 18.01.2021, the following order had been passed by this
court:-

“Case heard by video conferencing.

By this petition, the petitioner seeks the issuance of a writ in the nature of habeas corpus for appointment of a warrant officer to search her daughter namely Kanika Sharma aged 17½ years, at the premises of respondent no.4 or at any other place and to get the detenue released from the illegal custody of the respondents.

Upon specific query to learned counsel for the petitioner

as to whether the daughter of the petitioner, Kanika Sharma, shown to be age of 17½ years as per the petition, or respondent no.4 in whose illegal custody she is alleged to have been kept, have filed any petition seeking protection of life and liberty, he has taken instructions to the effect that a notice has been received by the petitioner/her husband from the Additional Sessions Judge, Tarn Taran, in respect of such petition.

Obviously therefore, the whereabouts of the petitioners' daughter are not wholly known.

Adjourned to 25.01.2021.

All orders passed by the learned Additional Sessions Judge, Tarn Taran, in the petition stated to be filed by respondent no.4/the daughter of the petitioner, be placed on record by that date by learned counsel for the petitioner.”

Thereafter, on 25.01.2021, with learned counsel for the petitioner having submitted that he simply wants to meet his daughter to determine her welfare, while issuing notice of motion the State had been directed to file a reply on behalf of the respondent-State, as to whether the daughter of the petitioner was a minor or had attained majority, after verifying her date of birth from the school that she last attended, with it also directed that the petitioner, respondent no. 4 and the petitioners' daughter, would all appear before the learned Mediator in the Mediation and Conciliation Centre of the District Courts at Tarn Taran, on 15.02.2021.

Pursuant thereto, a report has been received from the Secretary District Legal Services Authority, Tarn Taran, addressed to the Registrar General of this court, stating that despite efforts made for compromising the matter between the parties on three dates, the mediation remained unsuccessful.

As per the reply filed on behalf of the respondent-State, the Principal of the Government Girls Senior Secondary School, Patti, has certified that, as per school record, the date of birth of the petitioners'

daughter is 24.08.2002 (with her therefore having attained majority on 24.08.2020).

Even as per paragraph 3 of the petition, the petitioners' daughter went missing on 10.12.2020, i.e. obviously after 24.08.2020.

The affidavit of the DSP further states that as per the statement of the petitioners' daughter, she had voluntarily eloped and had performed a marriage with respondent no. 4, it being an inter-caste marriage.

Consequently, no action has been taken by the police in that regard.

Though otherwise this petition would actually have been rendered infructuous in view of the above, however, since counsel for the petitioner is not present, it being well past 04:00 p.m., adjourned to 29.10.2021.

To be shown in the urgent motion list.”

Today learned counsel for the petitioner submits that the petitioner has herself unfortunately died and therefore obviously the petition no longer survives.

Disposed of as such.

October 29, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No