

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

232

**CRWP No.1042 of 2020
Date of decision:14.09.2021**

Khurshed Alam

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- None for the petitioner.

Mr.Ramdeep Partap Singh, DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for the release of the detenue from the illegal custody of respondents No.4 to 6.

It has been pleaded that the petitioner had married to detenue and thereafter, the couple had approached this Court seeking protection, which petition was disposed of, vide order dated 01.01.2020 (Annexure P-2). It has been further averred that on 23.01.2020, respondents No.4 to 6, who are parents and brother of the detenue, have forcibly taken her away with the help of 10-12 persons.

Vide order dated 29.01.2020, this Court issued notice of motion and directed the State to produce the detenue before this Court. The detenue

was produced before this Court on 20.02.2020 and had stated that she wants to stay with her parents and does not want to go to the petitioner.

Reply by way of an affidavit of Deputy Superintendent of Police, Barnala has been filed on behalf of the official respondents, wherein, it has been submitted that the detenue is staying with her parents at Urva, District Gorakhpur (UP) and FIR No.4 dated 08.01.2020 for offences under Sections 363, 366 of Indian Penal Code, 1860 has been registered at Police Station Urva Bazar Janpat, Gorakhpur against the petitioner.

In view of the above, it cannot be said that the detenue is in the illegal confinement of the private respondents.

No orders are called for.

Petition is dismissed.

September 14, 2021
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No