

CRWP-3599-2021
Date of decision :18.08.2021

Bahadar Singh

.....Petitioner

Versus

State of Punjab & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for release of detainee Radhika Saini who is the daughter of petitioner and stated to be in the illegal custody of respondent No.4-Sahil.

On 12.04.2021 a Coordinate Bench of this Court was pleased to issue notice of motion and had also directed the Sub-Divisional Magistrate, Batala to record the statement of Radhika Saini regarding her willingness or unwillingness to live with respondent No.4 and to send the same in a sealed cover before the next date of hearing.

Today, the same sealed cover report has been opened and as per the said report submitted by the Sub-Divisional Judicial Magistrate, Batala, it has been stated that on 19.04.2021 Radhika Saini had appeared before the Court and had recorded her statement to the effect that she had solemnised her marriage on 06.04.2021 with Sahil-respondent No.4 and is living with him with

her free will and without any coercion or pressure and there is lot of love and affection between her and Sahil-respondent No.4 and that the petition filed by father is based on false and frivolous grounds. It has further been stated that her parents and her relatives have already attacked her earlier. The Matriculation Certificate as well as the Aadhaar Card has also been attached. The Matriculation Certificate shows date of birth of Radhika Saini is 04.04.2003 and thus, she has attained majority. The said report is accompanying statement of Radhika Saini, which is to the same effect. The said report and the statement have been opened by this Court and is directed to be attached with the record of the present case.

In view of the statement of detenu Radhika Saini, the present petition is dismissed.

(VIKAS BAHL)
JUDGE

18.08.2021
JITESH (JTS)

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No