

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 3760 of 2021
Date of Decision: 24.8.2021**

Nisha Arora

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Amarjit Kaur, Advocate
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This criminal writ petition has been filed under Articles 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus directing the official respondents to get released detinue, Jannat Arora, daughter of the petitioner, who is alleged to be in the illegal detention of respondent No. 5.

Learned counsel for the petitioner submits that the marriage of the petitioner with respondent No. 5-Sachin Arora was solemnized about 14 years ago and out of the said wedlock, one daughter-Jannat Arora was born, who is presently 13 years of age. She further submits that on 13.1.2021, respondent No. 5 took away minor Jannat Arora with an assurance to the petitioner that he would drop her soon but he had illegally detained Jannat Arora, because of which she is suffering an academic loss. The petitioner has also moved a complaint to respondent No. 4-SHO, Police Station, Model Town, Jalandhar.

Vide order dated 20.4.2021, passed by this Court, Senior Superintendent of Police, SAS Nagar (Mohali)-respondent No. 3 was directed to depute a Gazetted Police Officer to visit the house of respondent No. 5 and inquire as to whether the alleged detinue has been detained by him illegally or forcibly and to file a detailed report in this regard.

In compliance of the order dated 20.4.2021, affidavit of Deputy Superintendent of Police, Sub Division City-2, District SAS Nagar, Mohali

dated 03.5.2021/10.6.2021, has been filed in the Registry, which is taken on record.

I have gone through the above-noted affidavit with the able assistance of the learned State counsel.

Along with the affidavit, statement of detenue-Jannat Arora has also been placed on record as Annexure R-1/T, wherein she has stated that she is studying in 8th class in Government Senior Secondary School, Sector 33-C, Chandigarh. Due to Covid-19 pandemic, her classes are being conducted online and all the study related messages from the school are received on her mother's mobile number, which is registered with the school. She further stated that there are some differences between her parents due to which they are living separately from the last 08 months. She further stated she goes to her mother's place whenever there is some important message from the school regarding her studies and thereafter comes back to her father. Now she has been living with her father of her own consent, free will and wish.

Keeping in view the above, learned counsel for the petitioner submits that she does not want to press the petition.

Dismissed as not pressed.

(HARNARESH SINGH GILL)
JUDGE

August 24, 2021
Gurpreet

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