

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

CRWP No.3975 of 2021

Date of Decision: 29.09.2021

Bittu Ram

.....Petitioner

Versus

State of Punjab and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. J.S. Attar, Advocate for the petitioner.

Mr. B.S. Sewak, Addl.AG, Punjab.

HARINDER SINGH SIDHU, J

Petitioner has prayed for issuance of a writ in the nature of Habeas Corpus seeking directions to respondent Nos.1 to 3 to get the detenue Baby released from the illegal custody of respondent No.4.

Upon notice, a status report by way of affidavit dated 27.08.2021 of Sh. Sukhminder Singh, DSP, Rural, Patiala District Patiala has been filed, wherein it is stated that the deponent was deputed by the S.S.P, Patiala to visit the residence of respondent No.4 and record statement of alleged detenue. It is stated that a case FIR No.37 dated 15.04.2021 under Section 346 IPC has been registered at P.S. Sanour, District Patiala in connection with the missing of the alleged detenue-daughter of Inder Kumar against certain unknown persons on the statement made by Inder Kumar, father of the alleged detenue Baby. Investigation has been conducted by SI Gurpreet Kaur. During course of investigation on 21.04.2021 on the basis of supplementary statement of the complainant, accused Vijay Kumar (respondent No.4) was nominated as an accused and efforts were made to trace the alleged detenue as also respondent No.4 by conducting raids but

no clue was available about the whereabouts of the alleged detainee as well as respondent No.4. On 03.06.2021, the alleged detainee Baby approached the Investigating Officer SI Jaspreet Kaur for getting her statement recorded. Alleged detainee was produced before the learned Illaqa Magistrate. Her statement (R.1) under Section 164 Cr.P.C was recorded in which she stated that she was in touch with respondent No.4-Vijay Kumar for the last 4-5 years. They had decided to marry, however, their family members did not agree with their marriage, therefore on 15.04.2021, alleged detainee Baby left her house of her own accord and solemnized marriage with respondent No.4. She stated that her family members were against her marriage with Vijay Kumar. She wants to live with respondent No.4-Vijay Kumar.

Thus, daughter of the complainant and cousin of the present petitioner is not in illegal detention of respondent No.4.

Accordingly, in the aforesaid FIR, a cancellation report has been prepared and the same would be presented before the learned Illaqa Magistrate shortly.

In view of above affidavit, no further direction is required to be issued.

Disposed of accordingly.

September 29, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No