

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

(117) **CRWP-4253-2021**
Date of Decision: May 03, 2021

Harpreet Singh .. **Petitioner**

Versus

State of Punjab and others .. **Respondents**

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Umesh Sharma, Advocate, for the petitioner.

Mr. T.P.S. Chawla, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

The present petition has been filed with a prayer that a writ in the nature of Habeas Corpus be issued so as to get the detenue namely Sukhpreet Kaur, wife of the petitioner released from the illegal custody of respondents No. 4 to 6 by appointing a Warrant Officer.

Notice of motion.

Mr. T.P.S. Chawla, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, accepts notice on behalf of the respondents.

Learned State counsel was requested to find out the whereabouts of the alleged detenue Sukhpreet Kaur and the efforts of the State counsel are appreciated that the alleged detenue Sukhpreet Kaur was found residing with her parents i.e. respondents No. 4 to 6 and she appeared before this Court through video conferencing. The said video conferencing was conducted in the presence of the learned counsel for the petitioner.

The alleged detainee Sukhpreet Kaur has stated before this Court that she is major in age and has come to reside with her parents with her own free will. She has further stated that she is not being detained by respondents No. 4 to 6 against her wishes and she is staying with them without any fear or coercion of any kind. She has further stated that she wants to stay with them at present and does not want to go back to her matrimonial home.

Learned State counsel has further brought to the notice of this Court that the petitioner as well as the alleged detainee Sukhpreet Kaur has already given in writing to the police that they no longer apprehend any danger to their life and does not want the security provided to them, to continue.

Learned counsel for the petitioner concedes that the said statement is correct.

Faced with the facts stated hereinbefore, learned counsel for the petitioner submits that as Sukhpreet Kaur has expressed her willingness to stay with her parents and has also stated that she is staying with them with her free will and without any pressure upon her, the petitioner does not want to press this petition any further.

Learned counsel for the petitioner submits that the petitioner will avail appropriate remedy available to him under law in case he wants his wife to return back to his matrimonial home.

Keeping in view the above, the present writ petition is disposed of having been not pressed.

In order to ensure the safety and security of the alleged detainee Sukhpreet Kaur, SHO Bullowal, Hoshiarpur who also joined the

proceedings through video conference, is directed that a lady Constable be sent to the residence of Sukhpreet Kaur at a regular interval for a period of one month to check her well being and in case, anything suspicious is noticed by the police, they will be free to take appropriate action in accordance with law. After the expiry of the period of one month, the statement of Sukhpreet Kaur be recorded as to where she wants to reside and action be taken accordingly.

The writ petition is disposed of in above terms.

May 03, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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