

CRWP-5670-2021

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

CRWP-5670-2021

Date of decision: 15.07.2021

Amarjeet Kaur

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Instant criminal writ petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of *habeas corpus* to get detenue-Balwinder Kaur, released from the illegal detention of respondents No.3 and 4, by appointing a Warrant Officer.

This Court, on 22.06.2021, while issuing notice of motion, directed respondent No.1-Commissioner of Police, Jalandhar, to depute a Gazetted Officer for visiting the house of respondents No.3 and 4 or any other place pointed out by the petitioner and make an enquiry as to whether the detenue had been illegally or forcibly detained by them. It was further directed that in case, the detenue had been kept forcibly and against her wishes, then she be immediately handed over to the petitioner. A detailed report was also ordered to be submitted.

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In pursuance thereof, status report by way of affidavit of the Deputy Commissioner of Police (Investigation), Jalandhar, has been filed. The same is taken on record.

A bare perusal of the status report makes it axiomatic that during the inquiry conducted into the matter, it came to the fore that on 19.04.2021, the alleged detainee performed *Nikah* with respondent No.3-Asif in a Mosque at Jalandhar, out of her free will and consent, and that respondents No.3 and 4 had not detained her forcibly. During inquiry, she produced a copy of her *Aadhar* Card as a proof of her age and had also got her statement recorded.

In view of the fact that the alleged detainee has performed *Nikah* with respondent No.3 out of her free will and consent and she is now happily residing in her matrimonial home, no interference is called for.

Disposed of.

15.07.2021

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No