

CRWP-6998 of 2021

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

CRWP-6998 of 2021
Date of Decision: 02.11.2021

Kamini and another

...Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present:- Mr. Vipul Goel, Advocate,
for Mr. Yogesh Goel, Advocate,
for the petitioners.

Mr. C.L. Pawar, Sr. DAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Article 226 of the Constitution of India, prayer has been made for issuance of writ in the nature of Habeas Corpus thereby to appoint Warrant Officer to produce detenue namely Isha Walia aged about 19 years daughter of Sh. Atish Kumar, who has been illegally detained/kept by respondent No.5 and his associates against her wish and to hand over custody of detenue Isha Walia to the petitioners.

Short reply by way of affidavit of Jatinder Singh, ACP (Civil Lines), Ludhiana, dated 06.09.2021 on behalf of respondents No.1 to 3 has been filed in Court today, which is taken on record, according to which she is happily living with her husband respondent No.5 – Vishal @ Vishnu.

Para 3 of the reply reads as follows: -

“3. That ASI Ram Krishan summoned both the parties. Statement of Isha Walia was recorded on 28-07-2021. She stated that she is living with her husband in her in-laws house. She is studying in BA 2nd class in Khalsa College for Women, Ghumar Mandi Ludhiana. She has solemnized love marriage with Vishal @ Vishu s/o Rakesh with her sweet will. She has solemnized marriage on 25-09-2020 in the court. She is living with her husband happily. She was residing with her grandmother and grandfather before marriage. After marriage due to anger she left her husband Vishal and went to the house of her grandmother situated in Kundan Puri Ludhiana. She used to have phone call and chatting on whatsapp with her husband. On 23-07-2021 she came to Khalsa College for Women along with her uncle Rishi Walia on her motorcycle at about 1:00 pm for submitting admission form. Her uncle Rishi Walia went out of the college. She submitted her admission form and then she called her husband Vishal @ Vishu on mobile phone near Khalsa College Ghumar Mandi Ludhiana. Her husband came there. Then she and her husband went on motor cycle to Samrala Chowk Ludhiana with her own will. Nobody threatened her and nobody kidnapped her. She has given intimation to her family members before going with her husband but nobody attended her phone call. She has no problem with her husband. Her in-laws family should not be harassed. No dispute has arisen in front of Khalsa College Ghumar Mandi. Nobody was beaten. She is major. She has solemnized marriage with her own sweet will and they have gone for outing voluntarily. Nobody

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is at fault. She has given the statement in the presence of her husband Vishal. True translation copy of the statement is enclosed as Annexure R-1/T.”

In view of the above, this petition has been rendered infructuous.

Disposed of accordingly.

November 02, 2021
R.S.

(Ashok Kumar Verma)
Judge

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