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

CRWP-7668-2021

Date of Decision: 12.08.2021

Karamjeet Singh

.. Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pardhuman Garg, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

By means of this writ petition under Article 226 Constitution of India, petitioner has prayed for issuance of a writ in the nature of Habeas Corpus directing the official respondents Nos.1 to 3 to search/release detenue Babli Kaur from the illegal custody of private respondents No.4 to 13.

Learned counsel has argued that the petitioner is already married and is working as a mason and detenue, namely, Babli Kaur (20 years old) was working with him as a labourer. He submits that the private respondents, who are parents and other relatives of the detenue are treating her with cruelty and want to marry her with a boy of their own choice against her wishes. He submits that in the first week of August, 2021, petitioner received a call from the detenue that she is being kept in illegal confinement by her parents and other family members, therefore, he gave a representation dated 11.08.2021 (Annexure P-2) to the SHO, Police Station Sadar Nabha, Tehsil Nabha, but no action has been taken upon the same, therefore, he prays for issuance of a writ of habeas corpus.

After hearing the learned counsel, this Court finds that admittedly, the daughter is residing with her parents and the stand of the petitioner (employer of the detainee) is not worth acceptance, as the allegations are not supported with any convincing material. Strangely, neither any particulars such as date, time, duration, etc. of the alleged phone call made by the detainee to the petitioner nor the relevant particulars regarding petitioner's visit to the house of private respondents are contained in the writ petition and the representation. Even the petitioner has not mentioned the length of the employment of detainee. Thus, the petition is frivolous and is not founded on a convincing cause of action, therefore, the petitioner deserves to be saddled with costs.

Resultantly, the writ petition is dismissed with costs of Rs.20,000/- to be borne by the petitioner and it is ordered that the same be deposited with the Director, PGIMER, Chandigarh (for COVID Patients) within a period of two months, failing which the Chief Judicial Magistrate, Patiala shall ensure the recovery and deposit of the costs, in accordance with law.

12.08.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No