

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

224

CRWP-8262-2021

Decided on : 28.09.2021

Gurjant Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

(Through Video Conferencing)

PRESENT: Ms. Kuljeet Kaur, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Chander Shekhar Singhal, Advocate
for respondents No. 5 and 6.

VIKAS BAHL, J. (Oral)

The present Criminal Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of Habeas Corpus and for directing the respondents No. 2 and 3 to release the alleged detainee, as named in the headnote and para 3 of the petition, who is stated to be in illegal custody of respondents No. 4 to 6.

In the present case, vide order dated 28.08.2021, the Warrant Officer was appointed and on 14.09.2021, this Court had passed the following order:

“In pursuance of the order dated 28.08.2021 passed by this Court, the report has been submitted by the Warrant Officer in a sealed cover which has been opened in Court in presence of the learned counsel for both the parties. A perusal of the said report would show that although a raid was

conducted on the house of respondents No.5 and 6, however, neither respondent No.5 was found nor detenue was found. The said report is made part of the present petition and is taken on record.

Status report by way of affidavit of Deputy Superintendent of Police, Sub-Division Derabassi, District SAS Nagar, Mohali, has been filed by the State on behalf of respondents No.1 to 3. In the said status report, it has been submitted that in fact the detenue along with Vijay @ Diler Singh had filed CRWP-8051-2021 for protection of their lives and liberty and in the said petition they have stated that they are in a Live in Relationship.

Learned counsel for the petitioner after being apprised of the said fact has submitted that he is not against his daughter and in fact the daughter is 18 years of age and if she willingly wishes to marry the said Vijay, they would not come in their way.

Learned counsel appearing on behalf of respondents No.5 and 6 seeks time to get instructions from respondents No.5 and 6. He has submitted that he would also try to communicate to the respondents No.5 and 6 the feelings of the petitioner so that whole matter can be resolved amicably. He has also submitted that they would also make an effort to find out the whereabouts of the daughter of the petitioner and get her statement recorded. It is further submitted that in case there is a possibility of the matter being resolved, they would have no objection.

Adjourned to 28.09.2021.”

In the present case, the statement of the alleged detenue, recorded under Section 164 Cr.P.C., has been submitted in a sealed envelope in the Court today, which is taken on record.

After opening the envelope, the said statement has been

seen and perused. In the said statement, it has been submitted that she had left her parental house out of her own choice and free will and she was not kidnapped by anybody. She has further stated that she had done so because her parents wanted to marry her to some other person forcibly and that on 13.09.2021, she had attained the age of 18 years and had married Daler Singh on 17.09.2021 and she does not want to live with the petitioner and wants to live with the said Daler Singh.

Keeping in view the abovesaid facts, learned counsel for the petitioner submits that the present petition has become infructuous.

In view of the statement made by learned counsel for the petitioner, the present petition has been rendered infructuous and is disposed of as such.

(VIKAS BAHL)
JUDGE

28.09.2021

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No