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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRWP-8519-2021

Date of Decision: 10.09.2021

Prinkle Bivian

.. Petitioner

Vs.

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Prashant Vashisth, 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 Lovepreet Kaur from the illegal custody of private respondents No.4 and 5. Further to appoint a Warrant Officer to conduct a roving inquiry to get the detenue released.

Learned counsel for the petitioner has argued that detenue (Lovepreet Kaur), who is having love affair with the petitioner has been forcibly detained by her parents (respondent Nos.4 and 5). He has further argued that they are forcing her to marry with a person of their choice. It is pointed out that the petitioner is a shoopkeeper and his father is Junior Engineer in Mandi Board, Punjab. He prays that the detenue be released from the illegal custody of her parents.

During the course of hearing, it is not disputed by learned counsel that the petition is directed against parents (natural guardian) of Lovepreet Kaur (alleged detenue), therefore, this Court is of the opinion that

it cannot be construed at all that the girl is in illegal custody. Moreover, petitioner is neither relative nor guardian of the alleged detenue-Lovepreet Kaur, therefore, he has no locus standi to maintain the petition.

Resultantly, the writ petition is dismissed with costs of Rs.10,000/- to be borne by the petitioner and it is ordered that the same be deposited with the Institute of Blind, Sector-26, Chandigarh 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.

10.09.2021  
Jasmine Kaur

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |