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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No. 8963 of 2021 (O&M)

Date of decision: 24.09.2021

Gulzar

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jaitej Pratap Mittal, Advocate
for the petitioner.

Mr. Amit Kumar Goyal, APP, U.T., Chandigarh.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of a direction to release the detainee namely Halima aged 35 years from the illegal custody of respondent No.5 – Jagtar Singh son of Ajaib Singh resident of Ward No.1, Bariwala, District Sri Muktsar Sahib, Punjab.

Reply by way of affidavit of the Deputy Superintendent of Police, Sub-Division Sri Muktsar Sahib, District Sri Muktsar Sahib along with the statement of the detainee dated 23.09.2021, filed in the Court is taken on record. The statement of detainee Halima dated 23.09.2021, reads as under:-

“Statement of Haleema (daughter of Raju resident of Mani Majra, Tehsil and Distt. Mohali) now wife of Jagtar Singh resident of Bariwala, Tehsil and Distt. Sri Muktsar Sahib aged about 32 years, Mob. No.90415-85485.

Stated that I am the resident of above given address and I am house lady. Above twelve years back, my marriage was solemnized with Kala Singh son of Ram Lal

CASE HEARD THROUGH VIDEO CONFERENCING

resident of S.A.S. Nagar (Mohali) who oftenly used to beat and misbehaved with me due to which I was living separately from his from many years. Now I have got married with Jagtar Singh son of Ajaib Singh resident of Bariwala, Sri Muktsar Sahib at Siromani Jarnail Baba Jiwan Singh, Nihal Singh Dal 96 Karori Chakarvarti Chalda Vahir Panjva Nishan Reg. No.207 Faridkot, Punjab and now I am living at Mandi Bariwala happily. I have produced copy of Anand Karj certificate of my marriage, self-declaration letter and copy of petition regarding living in live-in relationship before you.

Sd/- Haleem aforesaid

In the presence of

*RTI Kalo MC wife of Jangir Singh
r/o Ward No.3, Tower Basti, Bariwala*

*Sd/- Tehal Singh, M.C.
Ward No.2, Bariwala*

*Attested by:
Sd/- ASI Guriqbal Singh
P.S. Bariwala
Dated: 23.09.2021 ”*

In view of the above, it cannot be said that Halima is in illegal detention of Jagtar Singh as she has volunteered to perform the alleged marriage with him and has also filed some petition regarding live-in relationship.

Accordingly, the present writ petition is disposed of having been rendered infructuous.

Liberty is granted to the petitioner to avail his alternative remedy, if any, in accordance with law.

**(ARVIND SINGH SANGWAN)
JUDGE**

24.09.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No