

CRWP-10040 of 2020

Date of Decision: 18.02.2021

Kulwant Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Hoshiar Singh, Advocate, for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner seeks a direction to respondents no.2 and 3 to get released his daughter from the (alleged) illegal custody of respondent no.4, and seeks protection of his as also his family members' life and liberty, at the hands of respondent no. 4.

Notice of motion having been issued on 02.12.2020, a status report by way of an affidavit of the SSP, Ferozepur, dated 05.02.2021, is on record, with it stated therein that the daughter of the petitioner was in fact produced before the SP (PBI), Ferozepur, by the Sarpanch of village Basti Shamewali and one Kikkar Singh, with the girls' statement also having been recorded under the provisions of Section 164 of the Cr.P.C., before the learned JMIC, Ferozepur, on 09.01.2021.

It has also been stated that her date of birth has been found to be 14.04.2004 as per the school record, thereby making her about 16 years 7 months old when she 'went missing'.

As per the said statement (annexed with the affidavit), it is seen that the girl has stated that she was in a relationship with one Sandeep Singh, her parents were trying to marry off her to somebody older than her and had often beaten her and therefore she had told Sandeep Singh (respondent no.4), that he should take her with him or she would commit suicide. Thereafter, she stated that she had gone of her own will with him to Uttar Pradesh, where they had stayed for 15 months, after which the village Sarpanch and the uncle of Sandeep Singh had found them and taken them to Jalalabad.

The affidavit of the SP also states that the girl was sent to the Vanita Gandhi Ashram, Jalandhar, but upon the Child Welfare Committee having intervened she was handed over to her parents on 12.01.2021 and consequently, the learned JMIC, Zira, had modified his order dated 09.01.2021 (on 28.01.2021), to the effect that the custody be handed over to her parents.

Learned counsel for the petitioner submits that the petition has therefore been rendered infructuous.

Disposed of as such.

February 18, 2021

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable: : Yes/No