

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRWP-10808 of 2020
Date of Decision : 11.11.2021

Gurpreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Ferry Sofat, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that he be allowed to withdraw his vakalatnama as brief has already been taken by the petitioner since long and he has no instructions to appear in this case.

As nobody else appears on behalf of the petitioner, hence, this Court has no option but to go through the present petition and decide the same.

The prayer in the present petition is for issuance of a writ in the nature of habeas corpus so as to produce the alleged detainee namely, Nachttar Kaur w/o Nazar Singh, who was alleged to be in the custody of respondents No. 4 to 6.

Notice of motion was issued and reply has been filed by the

respondent-State. As per the reply, the police had recorded the statement of Nachttar Kaur on 27.12.2020, wherein, she has stated that she was living with respondents No.4 and 5 with her own will and without any pressure or coercion alongwith her sister namely Gurdial Kaur. In her statement, she denied any relationship with Gurpreet Kaur, i.e. the petitioner in the present petition. Thereafter, the said Nachttar Kaur died on 24.2.2021.

In view of the above, as nothing has come on record that Nachttar Kaur, alleged detainee was being illegally detained by the respondents No.4 to 6 in any manner, issuing writ in the nature of habeas corpus, that too on the asking of the petitioner, with whom, as per the statement of the alleged detainee, she has no relationship, does not arise.

Keeping in view the facts and circumstances stated hereinbefore, no further orders are required to be passed in the present petition and the same is disposed of accordingly.

November 11, 2021*aarti***(HARSIMRAN SINGH SETHI)****JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*