

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268

CRWP-471-2022

Decided on : 20.07.2022

Abbas

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Tajeshwar Singh Sullar, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Ranjit Singh Sidhu, Advocate
for respondent No. 4.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India read with Section 482 Cr.P.C. for issuance of a writ in the nature of Habeas Corpus directing the respondents No. 1 to 3 to release the alleged detainee, who is stated to be the daughter of the petitioner.

On 03.03.2022, this Court was pleased to pass the following order:-

“Learned State Counsel has pointed out that in the present case, FIR has been registered against respondent No.4 and the alleged detainee is being medically examined and her examination would conclude within a period of three days from today.

Learned counsel for the petitioner as well as respondent No.4 have relied upon two Birth Certificates which have been annexed as Annexure P-4 dated 01.02.2022 with the petition and as Annexure R-3 dated

20.09.2021 with the reply and in both the said Birth Certificates, date of birth of detenue is different.

The respondent-State is directed to verify the authenticity of the abovesaid two Birth Certificates. While verifying the authenticity of the same, even fact that on what basis, Birth Certificate (Annexure P-4) which is showing the date of registration as 28.01.2022 whereas birth as per the said Certificate took place on 18.08.2006, had been prepared, be also verified.

Adjourned to 05.05.2022.”

Learned State counsel has submitted that in pursuance of the abovesaid order, the State has verified the authenticity of the birth certificates and has found that the birth certificate referred by the petitioner is found to be genuine whereas the one which has been referred by the respondent No. 4 is not genuine and has submitted that additional sections have been added in the FIR which has been registered against the respondent No. 4. It is further submitted that since the detenue has been found to be less than 18 years of age and she does not want to reside with her parents thus, she is being sent to Nari Niketan, Jalandhar.

Learned counsel for the petitioner has submitted that in view of the above, the present petitioner has been rendered infructuous.

In view of the same, present petition is disposed of as having been rendered infructuous.

(VIKAS BAHL)
JUDGE

20.07.2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No