

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CRWP-2061-2022(O&M)

Date of Decision:09.05.2022

Jagdish Singh alias Jagjit Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. S.K. Choudhary, Advocate,
for the petitioner.

Ms. A.K. Khurana, D.A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of habeas corpus directing the respondent No.2 to recover the detenue namely Vishali Devi(minor), daughter of the petitioner.

Pursuant to the order passed by this Court, short reply by way of affidavit of Mangal Singh, PPS, Deputy Superintendent of Police, Dhar Kalan, District Pathankot has been filed today in the Court and the same is taken on record.

The relevant extract of the same is reproduced as under:-

“That the prosecutrix appeared before the trial court on 22.04.2022 and SI/I.O. Rajni Bala Police Station Shahpurkandi moved an application for the medical examination of the prosecutrix in the Civil Hospital, Pathankot District Pathankot but prosecutrix has refused for her medical examination. On the same day, SI/I.O. Rajni Bala Police Station Shahpurkandi made an application for recording statement of the prosecutrix

U/S 164 Cr.P.C. and moved it in the court of Sh. Kamaldeep Singh Dhaliwal, CJM, Pathankot. Sh. Kamaldeep Singh Dhaliwal, CJM, Pathankot recorded the statement of the prosecutrix U/S 164 Cr.P.C. “She stated that I am residing at the above said address and my date of birth is 26.03.2003 and I am now 19 years old. I came to Pathankot Court from house with Ajay Singh on the afternoon of 21.02.2022 and I and Ajay Singh solemnized marriage. I loved Ajay Singh and my parents wants to get my marriage other side which I did not agree with. I wanted to get married to Ajay Singh. So I got married to Ajay Singh on 21.02.2022 of my own free will and consent. My father Jagdish Singh threatened to kill me and my husband. My father has possessed a licensed weapon and I and my father-in-law family are in danger from the hands of my father. I want to spend my life with Ajay Singh. I do not want any action against Prem Singh, Ajay Singh, Rohit Singh and Ranju. I produced to you my mark sheet photocopy, photocopy of Aadhar Card and photocopy of Pan Card.”

A copy of the said affidavit has been furnished to the learned counsel for the petitioner wherein statement of the alleged detainee has been recorded under Section 164 Cr.P.C.

Faced with the above, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the instant criminal writ petition.

Dismissed as withdrawn.

May 09, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No