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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRWP-2294-2022

Date of Decision: 09.09.2022

Lovepreet Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: None for the petitioner.
Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India with a prayer for issuance of a writ in the nature of Habeas Corpus for the release of detenue, namely, Harpreet Kaur, who is stated to be wife of the petitioner from the illegal custody of respondent Nos.4 to 6.

On the last date of hearing, nobody had caused appearance on behalf of the petitioner but there was a written request for adjournment. Today also, nobody has caused appearance on behalf of the petitioner, therefore, this Court would proceed in the present case on the basis of assistance rendered by the learned State counsel as well as the pleadings of the present case even in the absence of the learned counsel for the petitioner.

The present petition has been filed seeking writ in the nature of Habeas Corpus for release of the wife of the petitioner, namely, Harpreet Kaur, who is stated to be of the age of 27 years as per the learned State

counsel.

Short reply by way of an affidavit of Deputy Superintendent of Police, Sub Division Jandiala, Amritsar (Rural) filed on behalf of the official respondents, which is already on record.

Learned State counsel while referring to Para 2 & 3 of the aforesaid affidavit, has submitted that an enquiry was conducted in this regard and the statements of the petitioner, his wife-Harpreet Kaur (Detenue) and respondent Nos.4 & 5 were recorded. It was reported that during the enquiry of the complaint, it was found that the petitioner had solemnized marriage with Harpreet Kaur daughter of Kartar Singh without the consent of his family members on 24.12.2021, and thereafter, they started living as husband and wife but after some time of marriage, they entered into a dispute with each other due to which, Harpreet Kaur went back to her parental house at Village Kila Jeevan Singh, Amritsar on her own will and now the aforesaid Harpreet Kaur is not ready to live with the petitioner and wants a divorce from him and from the enquiry, it was also found that it was a matrimonial dispute between the parties and the aforesaid Harpreet Kaur is not in illegal detention and is rather living at her parental house with her own consent.

In view of the aforesaid factual position as stated in the affidavit, this Court is of the view that no further action is required in the present petition, consequently, the present petition is hereby dismissed.

09.09.2022

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |