

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(248)

CRWP-2776-2022

Date of decision: - 19.05.2022

Roop Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rajesh Kumar Kashyap, Advocate,
for the petitioner.

Mr. Hitten Nehra, Additional A.G., Punjab.

Mohd. Yousaf, Advocate
for respondents No.4 and 5.

VIKAS BAHL, J. (ORAL)

Present petition has been under Articles 226/227 of the Constitution of India for the issuance of writ in the nature of Habeas Corpus and for appointment of a Warrant Officer, with a roving writ to search for the detainee, as named in the head-note of the petition and get her released from the illegal custody of respondents No.4 and 5.

Learned counsel for the petitioner has submitted that the petitioner is the husband of the detainee, whereas, respondents No.4 and 5 are the parents of the said detainee. It is submitted that the detainee is present in Court and her wishes be considered so as to ascertain as to where she would like to reside.

Learned State counsel, along with counsel for respondents No.4 and 5, have stated that the detainee wishes to reside with her parents (respondents No.4 and 5).

Learned State counsel has pointed out that a statement of the alleged detainee dated 27.04.2022 (Annexure P-2), has been recorded, in which, she has stated that she is happily residing with her parents in House No.12-V, Amar Colony, Nangal Road, Ropar, Police Station Sadar Ropar, District Ropar with her sweet will and is appearing in 10+2 non-medical examination.

This Court has heard learned counsel for the parties and gone through the record.

As per the statement of the alleged detainee which has been annexed as Annexure R-2 with the reply dated 14.05.2022 filed by way of affidavit of Jaswinder Singh Tiwana, PPS, Deputy Superintendent of Police, Circle Ghanaur, District Patiala, on behalf of respondents No.1 to 3, alleged detainee wishes to reside with her parents i.e. respondent No.4 and 5 and wants to appear in 10+2 non-medical examination. This Court has also interacted with the alleged detainee in camera and the said detainee has expressed her wish to reside with her parents (respondents No.4 and 5).

In view of the above, learned counsel for the petitioner has stated that the petitioner wishes to withdraw the present petition, at this stage.

Accordingly, the present petition is dismissed as withdrawn, at this stage.

May 19, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No