

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

253

CRWP-2981-2022

Date of Decision : **September 06, 2022**

GURINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : None for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking a prayer for issuance of writ in the nature of Habeas Corpus for the release of Simranjeet Kaur stated to be wife of the petitioner from the illegal and unlawful custody of respondents No.5 to 9.

Nobody has caused appearance on behalf of the petitioner and the same was the position on the last date of hearing and on the last date of hearing the Registry was directed to inform the learned counsel for the petitioner with regard to the next date of hearing by way of written communication.

The Registry has reported that the learned counsel for the petitioner has been informed vide letter dated 25.7.2022 about the date fixed. Still, the learned counsel for the petitioner has not appeared today.

In view of the aforesaid position, this Court will proceed with the present case even in the absence of the learned counsel for the petitioner on the basis of assistance rendered by the learned State counsel

and also on the basis of the affidavit filed by the State and also on the basis of pleadings.

The prayer in the present petition is for release of one Simranjeet Kaur stated to be the wife of the petitioner.

The learned State counsel while referring to the affidavit filed by the DSP, Mehal Kalan, District Barnala has submitted that after receiving notice from this Court, the investigation was conducted in which the aforesaid Simranjeet Kaur had stated that on 30.12.2021 she had solemnized love marriage with the petitioner and after marriage she came to know that the petitioner is a drug addict and started humiliating her and he has not provided any type of maintenance to her due to which she left her matrimonial house on her own and started living with her parents.

In view of the aforesaid position, it cannot be said that the aforesaid Simranjeet Kaur is in illegal or forceful custody of the private respondents.

Consequently, finding no merit in the present petition, the same is, hereby, dismissed.

September 06, 2022

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(JASGURPREET SINGH PURI)
JUDGE

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