

**PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

203

CRWP-3188-2022

Date of Decision: 11.04.2022

JATINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Arun K. Gupta, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Saurabh Arora, Advocate and

Mr. Karanveer Singh, Advocate for respondents No.4 and 5.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus seeking release of the alleged detainee Rajveer Kaur (wife of the petitioner-Jatinder Singh) from the alleged illegal custody of respondents No.4 and 5.

The instant petition came up for hearing on 06.04.2022, wherein notice was issued to the respondent/State and further direction was issued to the Senior Superintendent of Police, SAS Nagar, Mohali to depute some gazetted police officer to look into the matter and in case, the said Rajveer Kaur (the alleged detainee and wife of the petitioner) is found present in the given premises and shows her willingness to go with the petitioner, then to take appropriate necessary steps after recording her statement in this regard.

Today, on resumed hearing, Mr. Saurabh Arora, Advocate and Mr. Karanvir Singh, Advocate have appearing on behalf of the respondents No.4 and 5 and have produced an affidavit duly sworn by Rajveer Kaur daughter of Avtar Singh (alleged detainee) and copy of the said affidavit has been handed over to the learned counsel for the petitioner. The relevant extract of the said affidavit is reproduced hereinbelow:

“2. That it is stated here that respondent No.4 is the father of the deponent and respondent No.5 is his brother. Since the date of marriage of the deponent with the petitioner on 12.09.2019, the deponent is staying at her parental home with her consent and free will. The contents referred in para No.6 of the petition that the deponent was taken by respondent Nos.4 and 5 alongwith 2/3 unknown boys from the house of the petitioner on 03.04.2022 and forcefully took away the deponent are absolutely false and the same are denied. It is further stated hereby that respondent Nos.4 and 5 have never threatened either the petitioner or the deponent. The deponent is ready and willing to go with the petitioner to the matrimonial home. The deponent further states that she has not been illegally detained by respondent Nos.4 and 5.”

It is evident from the perusal of the same that the alleged detenue Rajveer Kaur has specifically denied having been forcibly or illegally detained by respondents No.4 and 5, and has also expressed her willingness to go with the petitioner.

Learned counsel for the petitioner submits that the mother and sister of the petitioner are present in Court today and they are willing to take Rajveer Kaur (the alleged detenue) alongwith them from the Court premises itself.

In this view of the matter, no further orders are required to be passed in the instant petition and the same is, hereby, dismissed as having been rendered as infructuous.

(VINOD S. BHARDWAJ)
JUDGE

11.04.2022
rajender

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No