

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

CRWP-9206-2021

Date of Decision: 28th September, 2022

Jagdish

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aditya Pratap Singh, Advocate for the petitioner.

Mr. M.S. Bajwa, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

This writ petition was filed in the nature of Habeas Corpus for release of detenue-Hina and two minor children-Suraj and Chand.

The petitioner is husband of the detenue-Hina. As per the allegations in the petition, respondents No.4 to 8 had kidnapped the detenue and forcibly compelled her to marry respondent No.4 and she is not traceable in spite of best efforts.

On notice of motion, the State has filed reply, the same is taken on record. Copy supplied to the counsel for the petitioner.

As per reply, ASI Rashpal Singh had conducted an enquiry and the petitioner recorded a statement that he along with his wife and children were residing in SR Brick Kiln. He stated that Nannu resident of UP had taken wife of the petitioner along with the children. Further, he does not want to take any action against respondents No. 7 and 8. He further stated that Hina was a major and she along with her minor children left the company of the petitioner at her own and it is nobody's fault.

From the pleadings, it is forthcoming that it is not a case of illegal detention, no interference is called for.

Petition is dismissed.

However, the petitioner would be at liberty to avail remedies in accordance with law for redressal of the surviving grievance, if any.

[AVNEESH JHINGAN]
JUDGE

28th September, 2022
anuradha

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