

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**Sr. No.250**

**CRWP-1460-2019 (O&M)**  
**Date of decision: 19.04.2022**

SANDEEP SINGH

....Petitioner

Versus

STATE OF PUNJAB AND ORS

....Respondents

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

Present: Mr. J.K. Khetarpal, Advocate  
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Sunil Kumar, Advocate for  
Mr. G.K. Mann, Sr. Advocate  
for respondents No.4 to 6.

\* \* \*

**VINOD S. BHARDWAJ, J. (Oral)**

The instant petition has been filed under Articles 226 and 227 of the Constitution of India for an issuance of a writ in the nature of habeas corpus directing search and release of the detenue namely Baljit Kaur wife of the petitioner, who is alleged to have been unlawfully detained and illegally confined by the respondent Nos.4 to 7.

Learned counsel appearing on behalf of the petitioner has referred to the pleadings of the petition to contend that the petitioner was courting the detenue-Baljeet Kaur and that she left her maternal house on her own accord and joined the company of the petitioner on 28.08.2019, when they solemnized marriage, as per Hindu Rites and Ceremonies at Shiv

Mandir in Ludhiana. He further submits that the factum of solemnization of

the marriage between the petitioner and the detenue-Baljit Kaur is duly established from the affidavits furnished by the detenue after appearing in person before the Executive Magistrate, Ludhiana.

Counsel for the petitioner refers to the petition and to contend that the detenue was forced by her parents to return to the house so that formal ceremonies could be performed for the sake of their reputation and honour in the society and after having taken the detenue along with them on the said pretext, they have illegally confined her.

Notice in the petition was issued on 10.12.2019, whereupon reply by way of affidavit of Simranjit Singh, PPS, Assistant Commissioner of Police, Industrial Area-A, Ludhiana dated 15.02.2021 has been filed. The relevant extract of the preliminary submissions is reproduced hereinafter:-

*“That ASI Geeta Rani of P.S. Moti Nagar, Ludhiana was deputed to know the facts during which the said ASI contacted the alleged detenue and the private respondents during which it was revealed that the alleged detenue and the present petitioner had performed love marriage with each other but thereafter the alleged detenue left the present petitioner and had gone to her parents at District Amritsar and she does not want to live with the present petitioner and she is happily residing with her parents. In this regard statement of the alleged detenue was also recorded by the said ASI which is annexed hereto as **Annexure R-1/T** and its Vernacular copy is **Annexure R-1.**”*

A perusal of the same would show that statement of the alleged detenue-Baljit Kaur had been duly recorded by the authorities and appended along with the affidavit as well. As per the said statement, the alleged detenue has stated that she is residing on her own sweet will with her

parents at village Bhilowalpacca, Amritsar and that she has not been illegally confined or kept in any unlawful detention.

In this view of the matter no further orders are called in the present petition for seeking release by invoking the writ of habeas corpus.

Petition is accordingly dismissed, at this stage.

**19.04.2022**  
**Amandeep**

**(Vinod S. Bhardwaj)**  
**Judge**

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |