

CRWP-3521-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-3521-2023
Decided on : 04.05.2023

Pardeep Kumar

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Deepak Pareek, Advocate
for the petitioner(s).

Mr. J.S. Arora, DAG, Punjab
assisted by SI Balwinder Singh.

SANJAY VASHISTH, J. (Oral)

1. Order dated 13.04.2023, says as under:-

“ Counsel for the petitioner submits that petitioner – Pardeep Kumar, aged 25 years, and detenue ‘Kanika’, aged 23 years were married on 30.07.2022, and in that regard copy of card of marriage programme along with photographs are attached along with instant petition as Annexure P-1.

Counsel for the petitioner further submits that after the marriage, detenue ‘Kanika’ suddenly disappeared from the house of petitioner on 20th December, 2022, and on coming to know about her illegal detention by respondent No.7 – Vikram (aged 27 years), petitioner moved an application dated 28.12.2022 before respondent No.2, which resulted into registration of DDR at P.S. Dhakoli. Thus, counsel for the petitioner submits that despite the registration of DDR, no action is being taken by the official respondents. Petitioner has also attached the copy of chatting (Annexure P-2), which has taken place between the detenue and respondent No.7.

Notice of motion for 04.05.2023.

On asking of the Court, Mr. JS Arora, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State of Punjab), and Mr. Vikas Bhardwaj, AAG, Haryana, accepts notice on behalf of

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respondents No.4 to 6 (State of Haryana).

Let requisite copies of the complete paper book be supplied to both learned State counsel during course of the day.

Learned counsel for State of Punjab is directed to file status report in regard to the DDR No. 20, registered at Police Station Dhakoli, on the complaint of the petitioner.”

2. Learned State counsel, on instructions from SI Balwinder Singh, submits that the alleged detainee was recovered on 22.04.2023, and thereafter, her statement under Section 164 Cr.P.C., was recorded on 24.04.2023. In her statement, the alleged detainee has categorically stated that she left the company of her husband i.e. petitioner on her own with her wish and will, and no such gold ornaments were taken by her from the house of her husband i.e. petitioner. In fact, she has expressed her desire to seek divorce from her husband (petitioner).
3. In view of the statement of the detainee, the Investigating Officer has allowed her to stay with her parents.
4. Faced with the situation that detainee has not supported the stand taken by the petitioner, learned counsel appearing for the petitioner, seeks permission to withdraw present petition.
5. Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

May 04, 2023

J.Ram

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