

CRWP-8351-2023

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

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Date of Decision:-31.10.2023

Lakhvir Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. Lupil Gupta, Advocate for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

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**ALOK JAIN, J. (Oral)**

1. The present petition has been filed for issuance of writ in the nature of habeas corpus for releasing the detenue namely Komalpreet Kaur, who is alleged to be in illegal custody of respondent No. 4.

2. In compliance of order dated 20.09.2023, the State has produced the detenue along with respondent No. 4.

3. At this stage, Mr. Rajat Dogra, Advocate has put in appearance and filed his *Vakalatnama* on behalf of respondent No. 4, which is taken on record, subject to all just exceptions and has submitted that the averments made in the petition are false and, in fact, after the detenue got her testimony recorded in the FIR No. 163 dated 26.12.2021 which led to the acquittal of respondent No. 4, the petitioner left the detenue outside the Court and that is how the detenue was with the respondent No. 4.

4. Learned counsel for respondent No. 4 further submits that, in

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fact, the parents of respondent No. 4 were taking care of the detainee and there is no untoward incidence which has been reported.

5. The parties are present in Court, that is to say the petitioner, respondent No. 4 as well as the detainee. The detainee is categorically interacted with the Court and she has submitted that she wishes to go back with the father who is the petitioner here.

6. After considering the entire matter and the history, it is appropriate to pass the following directions:

1. The detainee shall go back in the custody of the petitioner-father today itself from the Court. The petitioner is bound down not to beat or cause any atrocities or harm to the detainee in any manner whatsoever.
2. Respondent No.3-The Station House Officer, Police Station Dayalpura, District Bathinda, Punjab is directed to share his telephone number with the detainee and in case, she reports about any atrocities on her by the petitioner, the authorities shall take appropriate action against the petitioner.
3. The petitioner is also debarred from causing any harm to respondent No. 4 and the same applies on respondent No. 4 also that he shall not cause any harm to the detainee or to the petitioner and their family.
4. The detainee is a young girl of 17 years and has stated that she is a Kabbadi player. The petitioner shall ensure that appropriate education is provided to the detainee for her well being.

7. With the above said direction, the present petition stands disposed of.

**(ALOK JAIN)**  
**JUDGE**

**October 31, 2023**

*Parul*

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