

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-9235-2023 (O & M)
Date of decision: 20.09.2023

JAGJEET SINGH @ JUDGE

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aarush Neeraj Vaid, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN J. (ORAL)

This writ petition in the nature of Habeas Corpus is filed seeking directions to the official respondents for release of the detenue from illegal custody of private respondents (respondents No.5 and 6 arrayed in the petition).

2. This petition has a history. The detenue had filed criminal writ petition No.7242 of 2023 fearing life and liberty from the hands of the private respondents including the petitioner. The petitioner appeared during the pendency of the criminal writ petition and undertook not to marry the detenue against her wishes until she attains the age of 18. The Court was informed that FIR No.187 dated 20.07.2023 has already been got registered against Yuvraj Singh at Police Station Jandiala District Amritsar (Rural).

3. The petition was disposed of with the directions that learned counsel for the petitioner should inform the petitioner to attend the phone call of the investigator. The detenue was to be traced, taken to Child Protection Home and to be produced before Judicial Magistrate, who had to interact with

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her and after recording her statement, send her to Child Protection Home or to her parents, after being satisfied with the result of the interaction.

4. The present petition is filed raising the grievance that the order dated 25.07.2023 has not been implemented.

5. There is an issue with regard to the maintainability of this petition in view of the earlier order passed by this Court.

6. Learned counsel for the petitioner submits that petitioner wants the custody of detainee.

7. Learned State counsel, on instructions from ASI Saroop Singh, submits that detainee has been traced out and she has been kept in the Child Protection Home after recording her statement under Section 164 Cr.P.C.

8. Without commenting upon the maintainability of this petition, in view of the statement made by the learned State counsel, the petition stands dismissed.

9. Pending application(s), if any, also stand(s) disposed of.

20.09.2023
manisha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No