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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-10557-2022

Date of decision:27.03.2023

CHARANJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Praveen Chauhan, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

Order dated 17.11.2022 says as under:-

“Counsel for the petitioner submits that daughter of the petitioner, who is 14 years of age, and is illegally detained by respondent No.4. Already one FIR No.184, dated 03.06.2022, under Sections 363, 366 of IPC, has been registered at P.S. Civil Lines, Amritsar, but nothing is being done in the investigation by the police.

Notice of motion for 22.11.2022.

On asking of the Court, Mr. AS Sandhu, AAG, Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 to 3 (State). Complete copy of paper book has already been supplied to him by learned counsel for the petitioner in Court today.

Learned State counsel is directed to file status report in the matter, more specific, about the age of alleged detainee, after verifying the same from official records. Said status report be filed on or before the next date of hearing.”

Vide order dated 14.12.2022, it was noticed that whereabouts of the detainee were not known and thus, time was sought. Accordingly Commissioner of Police, Amritsar was directed to look into the matter.

Thereupon, one more status report dated 06.02.2023 has been filed by the State on behalf of respondents No.1 to 3. While referring to the paragraphs No. 7 to 11, Mr. Anmol Singh Sandhu, AAG, Punjab submits that in view of the

fact that the detenue has been got released, present petition seeking writ of Habeas Corpus is worth for final disposal.

Paragraphs No. 7 to 11 of status report are reproduced hereunder:-

“7. That pursuant to the directions issued by this Hon'ble Court vide order dated 14.10.2022, the deponent issued strict instructions to the Station House Officer, Police station C-division, Amritsar City to make all possible efforts to arrest the accused persons and on 20.12.2022, the respondent No. 4 and co-accused Varinderjit Singh and Jatinder Singh were arrested from their house i.e., House No. 904, Opposite Mandir wala Bazar, East Gobind Nagar, Amritsar pursuant to a secret information and the alleged detenue/prosecutrix was also recovered from their custody.

8. That on 20.12.2022, the alleged detenue was produced before the court of learned Area Judicial Magistrate, Amritsar for the purpose of recording her statement under section 164 Cr.P.C. She has stated in her aforesaid statement that she had a love affair with respondent No. 4 and she had ran away with him from her house on 31.05.2022 but later on she came back and respondent No. 4 was sent to the jail. She further stated that her parents used to give her beatings and threats to marry her with an old age man and as such, on 16.08.2022, she went to the house of the respondent No. 4 and they both went to Haridwar. She further stated that they came in touch with Satpal Singh, who told them that they can live in a live-in-relationship and Satpal Singh prepared her fake Aadhar Card to show her age to be of 19 years. She also stated that she and the respondent No. 4 had visited Vaishno Devi Mandir, Chandigarh and Mumbai, after running away from their home and the police had wrongly arrested respondent No. 4, his mother and brother and they have no at fault in the matter.

9. That after recording her statement, the detenue/prosecutrix was produced before the Child Welfare Committee, Amritsar and she was sent to the Asra Bhawan, New Amritsar after her refusal to live with her parents. The respondent No. 4 is in judicial custody since 20.12.2022.

10. That on 21.12.2022, the alleged detenue/prosecutrix was taken to the Civil Hospital, Amritsar by the investigating officer for the purpose of her medico-legal examination but she refused to undergo the medico-legal examination.

11. That an Investigation Report/Challan under section 173 Cr.P.C. has been submitted in the court of learned Additional Sessions Judge/Exclusive Court, Amritsar on 02.02.2023 against the respondent No. 4 and co-accused Jatinder Singh, Rajvinder Kaur and Varinder Singh and now the next date of hearing is fixed by the learned court is 07.02.2023 for the appearance of accused persons.”

Learned counsel for the petitioner submits that in view of the stand taken by the official-respondents in their reply and more specifically for the reason that the detenue has been settled in Asra Bhawan, New Amritsar, petitioner does not pursue with the present petition as grievance expressed by the petitioner is satisfied and he does not wish to continue with the present petition.

Dismissed being not pressed further more.

(SANJAY VASHISTH)
JUDGE

27.03.2023
Sonia

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No