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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-1922-2023
Date of Decision: 20.08.2024

Kuldeep Singh
...Petitioner

Versus

State of Punjab and others
...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. F.S. Virk, Advocate
for the petitioner
Mr. Vinay Kumar, DAG Punjab

KIRTI SINGH, J.(Oral)

The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for release of the detenue Harman Preet Kaur from the illegal detention of respondent No. 4.

2. In compliance to the previous orders passed by this Court, report by way of an affidavit of Sh. Varun Sharma, I.P.S., Senior Superintendent of Police Patiala, District Patiala had been filed.

3. Learned State counsel submits that the petitioner Kuldeep Singh had approached the Police Station Tripuri Patiala on 20.12.2022 and brought to the notice of Station House Officer of above said Police Station Tripuri Patiala that his daughter Harmanpreet Kaur is missing. Thereafter, ASI Harpal Singh was deputed to locate the whereabouts of Harmanpreet Kaur. He further submits that ASI Harpal Singh thoroughly enquired into the matter and submitted his report dated 11.04.2023, wherein he apprised that daughter of the petitioner (who is major) had

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married Gurmehar Singh on 06.02.2023 and they had moved an application before the Superintendent of Police Hissar (Haryana) for the protection of their life and liberty. They had also moved a petition before this Court vide CRWP No. 146 of 2023 seeking protection of their life and liberty, which was disposed of vide order dated 09.01.2023 on the basis of statement made by Kuldeep Singh and his family members.

4. Learned State counsel further submits that on the intervening night of 11/12.04.2023, an information was received from Head Constable Karnail Singh of Police Post Rajindera Hospital Patiala that Dr. Arjan Singh of Rajindera Hospital Patiala had informed them that Harmanpreet Kaur wife of Gurmehar Singh resident of Gaziabad was admitted due to overdose of some medicine. He further submits that Harmanpreet Kaur had left the Rajindera Hospital Patiala with her own consent and further got herself admitted in Modi Hospital Ragho Majra Patiala for better treatment. Thereafter, ASI Mangat Singh went to Modi Hospital Ragho Majra Patiala, where he recorded the statement of Harmanpreet Kaur in which she stated that she has solemnized marriage with Gurmehar Singh. After marriage she started getting fever and then she consulted an Ayurvedic doctor, who administered some medicines. Thereafter, she started taking allopathic medicines and on the night of 10.04.2023 she suffered a medicine reaction. She further stated that no person was responsible for her medical condition and she does not want to take any legal action against anyone. She signed her statement in the presence of her husband Gurmehar Singh which was also signed by Gurmehar Singh. After he returned to Police Station, ASI Mangat Singh made a DDR entry No. 28 dated 12.04.2023.

5. On 13.04.2023 at about 09:20 a.m., an intimation was received by PHHC Police Station Kotwali Patiala that Harmanpreet Kaur had expired.



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Thereafter, as per the postmortem report which was conducted by board of doctors who after considering PMR report, Chemical Examiner report opined that the cause of death in this case was due to “*diseased condition of organs described which is a natural process*”, hence the allegations leveled by the petitioner were found to be false against Gurmehar Singh and his family members.

6. I have heard the rival submissions made by learned counsel for the parties and perused the record.

7. As per the status report filed by the State, it is evident that Harmanpreet Kaur had married Gurmehar Singh on 06.02.2023. They had even filed a protection petition before this Court vide CRWP No. 146 of 2023, which was disposed of vide order dated 09.01.2023 on the basis of statement made by the family members of Harmanpreet Kaur that they had no objection to the marriage. Further, from the statement of the deceased (Annexure R-2/T), it is evident that she was admitted to Modi Hospital Ragho Majra Patiala with her own consent due to medicine reaction and nobody was to be blamed nor any legal action was required to be taken against any one.

8. Further, as per postmortem report, it is also evident that her untimely demise was due to diseased condition of organs.

9. Accordingly, this Court is of the view that the allegations levelled by the petitioner against Gurmehar Singh and his family are false and the petition is disposed off accordingly.

20.08.2024
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(KIRTI SINGH)
JUDGE

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