

2024:PHHC:084207



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.238

CRWP-5856-2024 (O&M)
Date of decision : 08.07.2024

Gurpreet Singh Petitioner

VERSUS

State of Punjab and others Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. B.S. Loomba, Advocate, for the petitioner.

Ms. Kamaljit Kaur, in person (detenue).

Mr. Vinay Kumar, DAG, Punjab

Mr. Mayur Karkra, Advocate, for respondent No.4.

KIRTI SINGH, J. (Oral)

1. Prayer in this petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus.
2. The present petition was filed by the petitioner alleging that he had received a letter from the alleged detenue namely Kamaljit Kaur wherein it was stated that she had been illegally detained in her matrimonial house.
3. Notice of motion was issued in this case on 20.06.2024 and it was directed that a Warrant Officer be appointed and report be submitted.
4. In compliance of aforestated order, reply of the Warrant Officer has been filed in Court and the same is taken on record. The concerned Warrant Officer has appended a copy of the statement given by the alleged detenue and the same is being reproduced below:-

*"My name is Kamaljit Kaur w/o Sukhwinder Singh
daughter of Beant Singh resident of Village Chatte Tehsil*

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Nabha District Patiala aged about 28 years, having mobile No. xxxx disclosed herein that I am resident of the above said address and post graduate in Public Administration from Punjabi University Patiala and got married in the year 2016 with Sukhwinder Singh S/o Tara Singh R/o Village Chatte. Out of this wedlock we have been blessed with a son namely Sahib Jot Singh aged about 06 years who is now studying in 1" Class. It is further disclosed that we have not indulged in any domestic violence with each other and even I am not detained illegally by my husband and also prays that I did not want to pursue the said writ criminal petition any furthermore. It is further disclosed that I intend to live with my husband and in-laws and it is further disclosed that the present criminal writ petition has been filed with my consent and as of now I did not have any threat from my husband as well as in-laws. It was further disclosed that from 17.06.2024 I am residing with my father namely Sh. Beant Singh S/o of Sh. Sher Singh at village Kol Tehsil Nabha District Patiala. It is further disclosed that today I came to my matrimonial home with my father Sh. Beant Singh and I have recorded this statement and the same has been read over to me which I find correct. It is further disclosed that the present statement has been recorded without any pressure/force or on the asking of someone. It is further disclosed that I was not illegally detained by my in-laws and I have recorded this statement in the presence of my father and the Sarpanch of the

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Village and this statement has been recorded by my own free will".

- 5. Ms. Kamaljit Kaur (alleged detainee), who is present in Court today, has suffered a statement that she wants to withdraw the present petition.
- 6. In view of the report submitted by the concerned Warrant Officer and the statement suffered by the alleged detainee, the present petition stands disposed of.
- 7. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

08.07.2024
Ramandeep Singh

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