

2024-PHHC-096163



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

CRWP-6480-2024

Date of Decision : 30.07.2024

KARAN

.....Petitioner

VERSUS

U.T. CHANDIGARH AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Mohan Singh Rana, Advocate with
Mr. Navjot Singh, Advocate,
for the petitioner.

Mr. Manish Bansal, PP, UT, Chandigarh.

Mr. Pardeep Bajaj, DAG, Punjab
for respondent no.8.

KULDEEP TIWARI, J.(Oral)

1. On 09.07.2024, the following order was passed by this
Court:-

“On the oral request of the learned counsel for the petitioner, SSP, Mohali is arrayed in the array of respondents as respondent no.8.

The Registry is directed to make the necessary correction in the memo of parties.

The petitioner claims himself to be the husband of detainee Swati, seeks issuance of writ in the nature of a Habeas Corpus with the allegations that his legally wedded wife has been illegally detained by respondents No. 4 to 7, who are none others but are the parents and relatives of the alleged detainee.

Notice of motion to newly added respondent No.8 only.

Mr. Pardeep Bajaj, DAG, Punjab, waives service on behalf of respondent No.8.

A direction is issued upon the newly added respondent no.8, to locate the alleged detainee and thereupon after ascertaining her age, her statement be recorded before the learned Magistrate concerned, under Section 183 of the Bharatiya Nagarik Suraksha Sanhita and thereupon the learned Magistrate concerned shall pass an appropriate order in accordance with law. The compliance report

in this regard be filed on or before the next date of hearing.
Adjourned to 23.7.2024.
Let the copy of this order be handed over to the learned
counsel for the State, under the signatures of the Special Secretary,
enabling him to comply with the abovesaid order. ”

2. Today, in deference to the aforesaid order, a reply dated 29.07.2024, by way of an affidavit of Sh. Karan Singh Sandhu, DSP, Sub-Division Khara-I, District SAS Nagar, has been filed, by the learned State counsel/respondent no.8 in the Court, which is taken on record, with a copy thereof supplied to learned counsel for the petitioner.
3. A perusal of the reply (*supra*), reflects that the alleged detenue-Swati i.e. the daughter of Radhey Shyam was produced by her cousin namely Sanjay (respondent no.5) before the investigating officer and thereupon, her age was ascertained which was found of about 18 years 11 months, and thereafter, her statement was got recorded under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) before the magistrate concerned, wherein, she showed her willingness to go join the company of the petitioner, and thereupon, her custody was handed over to the petitioner.
4. In view of the the supervening events and the developments as recorded above, learned counsel for the petitioner submits that the grievance of the petitioner has been redressed, therefore, no further order is required to be passed in the instant matter.
5. Consequently, the instant petition is **disposed of**.

July 30, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No