



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

228

CRWP-9648-2021 (O&M)

Date of decision : 06.11.2024

GAYATRI DEVI

.....Petitioner

versus

STATE OF PUNJAB AND ORS

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sahaj Punj, Advocate and
Ms. Kulwinder Kaur, Advocate
for the petitioner.

Mr. J. S. Arora, D.A.G., Punjab.

Mr. Alankrit Bhardwaj, Advocate
for respondents No.5 to 7.

RAJESH BHARDWAJ, J. (Oral)

The petitioner seeks for issuance of a roving writ in the nature of Habeas Corpus for appointing warrant officer with a direction to recover her minor daughter named Kajal Kumari, i.e. the detainee, from the illegal custody of respondents No.4 to 7 and also prays for passing any other appropriate order, while averring that the detainee has been abducted by respondent No.4.

Notice of motion was issued and learned State counsel was directed to file the status report which has been filed today by way of affidavit of Devinder Kumar, PPS, Assistant Commissioner of Police (North), Ludhiana.

It was alleged that the suspected places are intentionally not being raided by the Police and thus, the detainee is not being traced. This

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On instructions from ASI Santokh Singh, it has been submitted by learned State counsel that the police party along with husband of the petitioner raided the places but the detenue could not be found. It is further submitted before this Court that one FIR No.128 dated 17.06.2021 under Sections 363 and 366 at Police Station Dharesi, Ludhiana has already been registered and the same is under investigation as the alleged detenue and respondent No.4 alongwith whom the detenue performed marriage and had run away, are also not tracable. Thus, it is evident that the FIR against respondent No.4 has already been registered.

However, the petitioner would be at liberty to pursue his remedy, if any, further cause of action appears.

Rimpal

(RAJESH BHARDWAJ)
JUDGE

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