



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-8012-2024
Date of decision : 27.08.2024

Narinder SinghPetitioner

versus

State of U.T. Chandigarh and othersRespondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ved Parkash, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., U.T. Chandigarh with
SI Vijay Kumar.

Mr. S.K. Choudhary, Advocate
for respondents No.6 & 7.

RAJESH BHARDWAJ, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India for directing respondents No.2 and 3 to produce Rajni-detinue daughter of petitioner before this Court after getting her released from illegal confinement/custody of respondents No.6 & 7. It is further prayed that the Warrant Officer be appointed for raiding at the house of respondent No.6 for releasing Rajni-detinue (Rajni d/o petitioner) from illegal confinement/custody of respondents No.6 & 7 and hand over detinue-Rajni to the petitioner.

2. In pursuance to the order dated 20.08.2024, passed by this Court, the alleged detinue, namely, Rajni is present in the Court. The Court has interacted with detinue and respondents personally inside the chamber. The detinue has submitted before the Court that she is major and she was in relationship with respondent No.7 from last more than 1 ½ years. She has also apprised the Court that her family members were not



ready to marry her with respondent No.7, so, she left the home along with respondent No.7 and remained at his home for about 10 days. She submits that she did not face any type of inconvenience with respondent No.7 or with his family members. She submits that they had approached the Court of learned Magistrate, Moga seeking protection which was granted and she was sent to the Nari Niketan. She submits before the Court that she, in any circumstance, is not willing to go to Nari Niketan again and be sent with respondent No.7, namely, Arshdeep Singh.

3. The Court also interacted with respondents No.6 and 7. Respondent No.6 is the mother of respondent No.7. Respondent No.6 has submitted before this Court that she is happy with the relationship of her son i.e. respondent No.7 with the detenue-Rajni. She submits that her son is less than 21 years of age and it is because of this reason, the marriage of both of them could not be performed. She has assured the Court that marriage of both of them i.e. detenue and respondent No.7 will be performed when respondent No.7 would attain the age of 21 years. She has assured this Court that future of detenue-Rajni would not be spoiled as apprehended by the parents of the detenue.

4. The Court has interacted with the petitioner as well, who has submitted before this Court that as they belong to different caste, they are not happy with the marriage or relationship of their daughter with respondent No.7.

5. In view of the submissions made before this Court, the Court finds that the detenue is of the age of majority. She has persistently submitted before this Court that she should be sent with respondent No.7



as her future is secured with respondent No.7 only. Though respondent No.7 has not completed the age of 21 years however, he is also happy with the present relationship. He has also made similar submissions as made by his mother i.e. respondent No.6 that their marriage would be performed on his attaining the age of 21 years.

6. In view of the above, detainee-Rajni is allowed to go with respondent No.7. Both respondents No.6 and 7 shall abide by their submissions made before this Court.

7. Disposed of.

8. Copy of this order be supplied to learned counsel for the U.T. Chandigarh through SI Vijay Kumar under the signatures of the Bench Secretary of this Court.

(RAJESH BHARDWAJ)
JUDGE

27.08.2024
ps-I

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