



CRWP-10851-2024

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

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Date of Decision : December 05, 2024

SUKHWINDER SINGH

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. C.S. Singhal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

Mr. Ankit Kharbanda, Advocate (Through V.C.)
for the respondents No.3 and 4.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ of habeas corpus, the petitioner claims that his wife Amanpreet Kaur Basan has been illegally confined by the her parents (respondents No.3 to 5), therefore, he prays for issuance of directions upon the official respondents to produce his wife before the Family Court at Hoshiarpur.

2. On 11.11.2024, this Court had passed the hereinafter extracted order upon the instant petition:-

“The petitioner has filed the instant petition for issuance of a writ in the nature of 'Habeas Corpus', for directing the private respondents No. 3 to 5 to produce his wife-Amanpreet Kaur Basan,, in the Family Court at Hoshiarpur.

Learned counsel for the petitioner submits that the detenue is legally wedded wife of the petitioner, and she has been illegally detained by respondents No. 3 to 5, as she is not causing appearance



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in the cases filed against him by the alleged detainee before the courts below, therefore, he submits that it is a case of illegal detention.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab accepts notice on behalf of respondent-State and waives service.

The SHO, Police Station Model Town, Hoshiarpur, is directed to locate the alleged detainee(s), at the address of respondent no.3 to 5, as given in the instant petition, or any other place, and thereupon, get her statement recorded before the learned Illaqa Magistrate concerned, under Section 164 Cr.P.C. Thereupon, the compliance report by way of short reply be filed on or before the next date of hearing by S.H.O. concern.

Adjourned to 28.11.2024.”

3. Today, the learned State counsel, on instructions imparted to him by A.S.I. Ashok Kumar, informs this Court that, in deference to the directions embodied in the hereinabove extracted order, the statement of the alleged detainee was got recorded under Section 164 Cr.P.C., wherein, she stated in unambiguous terms that she is voluntarily living with her parents and is not illegally detained by them.

4. In view of the above, no further direction is required to be passed. Therefore, the instant petition is closed.

5. Disposed of accordingly.

December 05, 2024
devinder

(KULDEEP TIWARI)
JUDGE

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