



CRWP-10912-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(217)

CRWP-10912-2024
Date of Decision : 29.11.2024

Sarabjeet Kaur ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Jasneet Mehra, Advocate
for the petitioner.

Mr. Malkiat Singh, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Article 226 of the Constitution of India, a prayer is made for issuance of a writ in the nature of habeas corpus, directing the respondents No.2 and 3, to release the detenue namely, Ramandeep Kaur (wife of Gurjinder Singh, respondent No.5) from the illegal detention of respondents No.4 and 5, who are alleged to be confined the detenue, in a locked room for the last four days.

2. Coordinate Bench of this Court, on dated 11.11.2024, had passed the hereinafter extracted order, upon the instant petition :-

“This petition has been fled under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus directing the respondent Nos. 2 and 3 to release the detenue namely Ramandeep Kaur from the illegal detention of respondent Nos. 4 and 5.

Notice of motion.



Mr. R.S.Bhatta, DAG, Punjab appears and accepts notice on behalf of the respondent-State. He seeks same time to file reply.

Adjourned to 29.11.2024.

Reply be filed on or before the next date of hearing with an advance copy to the opposite counsel.”

3. In deference to the directions, issued by this Court, vide order dated 11.11.2024, status report dated 26.11.2024, by way of affidavit of Mr. Jaspinder Singh, PPS, Deputy Superintendent of Police, Zirakpur, District SAS Nagar Mohali, on behalf of the respondents No.1 to 3, furnished by the learned State counsel today in the Court. The same is taken on the record. The relevant portion of the status report (supra), is reads as under :-

“3. That after the order dated 11.11.2024 passed by this Hon'ble Court, the answering respondent directed the SHO, PS Dhakoli to conduct enquiry on the allegations of the petitioner. As per direction, the SHO P.S. Dhakoli conducted enquiry and alleged detenue Ramandeep Kaur was joined in the same on 20.11.2024 and she has suffered a detailed statement, which was recorded by ASI Baljit Singh. As per statement of the Ramandeep Kaur, although, she has been subjected to physical assault by her husband Gurjinder Singh in the month of June, 2024, but thereafter she is happily residing with her husband. It is further stated by Ramandeep Kaur that she is residing with her husband with her free consent and without any pressure, coercion or threat, nor she has been ever detained by her husband or anybody else. It is further stated by Ramandeep Kaur that she is constantly in touch with her mother through mobile phones and she has also met her mother i.e. petitioner and she does not want to take any action against her husband and her mother-in-law namely Manjit Kaur regarding the above said

incident of June 2024. The translated copy of statement of Ramandeep Kaur is annexed herewith as Annexure R-1.

4. That as per report of the SHO, PS Dhakoli, Ramandeep Kaur is happily residing in her matrimonial house with her free consent and she has not been detained by her husband or any member of her in laws family. It is further submitted that although Ramandeep Kaur has disclosed the incident of physical assault against her by her husband Gurjinder Singh in the month of June, 2024, but as per her statement, she does not want to take any legal action against her husband or any other person for such incident as she wants to reside with her husband throughout her life in her matrimonial house.

Submitted for the kind consideration of this Hon'ble Court."

4. The study survey of the status report (supra) reflects that a thorough enquiry was conducted and the statement of the detainee was also recorded, wherein, she herself submitted before the Enquiry Officer, that she is not confined by her husband rather, she is happily living with her husband. The detainee was produced before this Court today, by the investigating officer concerned, and she also expressed the same thing that she is living voluntarily with her husband and she is not confined in any illegal detention.
5. In view of the above, no further direction is required to be passed in the instant petition, and the same is hereby **closed**.
6. **Disposed of** accordingly.

(KULDEEP TIWARI)

JUDGE

November 29, 2024

Manpreet