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

CRWP-2566-2025

DATE OF DECISION: 18.03.2025

RAVI KUMAR

...PETITIONER

Versus

STATE OF PUNJAB AND OTHERS ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rhythem Bajaj, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Article 226 of the Constitution of India read with Section 528 of BNSS, 2023 seeking issuance of a Writ in the nature of Habeas Corpus for appointment of a Warrant Officer for the release of the detainee namely Anshu Patel (wife of the petitioner), who is stated to be in illegal confinement of respondents No.4 to 6.

On the last date, the Warrant Officer was appointed and was directed to set the detainee free and record her statement as well as file the report. The report filed by the Warrant Officer is reproduced below :-

‘For carrying out the orders dated 12.03.2025 passed by Hon'ble Mr. Justice Sandeep Moudgil in the above said case, the undersigned was appointed as Warrant Officer.

Accordingly, the undersigned accompanied by the petitioner-Ravi Kumar left for Police Station Focal Point,



Ludhiana by a car at about 12:15PM on 13.03.2025 and reached there at about 02:30PM. At that time SHO-Inspector Amandeep Singh Brar and other police personnel were present there. I disclosed my identity and purpose of my visit to the SHO. After going through the orders dated 12.03.2025 passed by the Hon'ble Court in the above said case, the SHO called Surinder Patel and his wife Babita Patel (respondent Nos.4 & 5) alongwith their daughter Anshu Patel, to the Police Station, Focal Point, Ludhiana, for ascertaining the true facts on the allegations levelled against them by the petitioner in the case. The undersigned disclosed his identity and purpose of visit to them and asked Surinder Kumar Patel and his wife Babita Patel as to why they have illegally detained/confined their daughter-Anshu Patel in their house against her wishes. At this, they denied the allegation and replied that their daughter-Anshu is living in their house with her own free will and they had no objection to the movement of her choice. On asking alleged detainee-Anshu Patel whether she was being detained by her parents in the house against her wishes, she replied in affirmation. Then, in the presence of SHO and the undersigned, the detainee-Anshu Patel gave her statement in Hindi, in her own hand(Annexure-'A') wherein she has stated that she got married to Ravi Kumar on 21.01.2025 according to the Hindu rituals of her own free will and after getting married they went out for a five day trip; when they returned to their home, her mother-Babita and brother-Karan Patel came to their house and took her along by assuring her husband Ravi and his parents that they will send her back after two hours; but after that they did not send her back to the house of her husband-Ravi. Now, she wants to go with her husband-Ravi Kumar as per her own free will and without any pressure. Consequently, custody of alleged detainee-Anshu Patel was handed over to her husband-Ravi



Kumar(Petitioner) who has also given his written statement, in Punjabi(Annexure-'B') with clear undertaking that he is taking his wife-Anshu Patel with him safely and if anything happens to her, he will be held responsible for that and he will keep her with him and will take full care of her from now on. He also verbally stated that he will arrange to produce her wife-Anshu Patel before the Hon'ble Court on the next date of hearing of the case i.e. 18.3.2025.

Subsequently, the SHO-Inspector Amandeep Singh Brar got recorded the Roznamcha Report(G.D.) No.029 dated 13.03.2025 at 16:31hrs regarding my visit at the Police Station Focal Point, Ludhiana(Annexure-'C'). After getting copies of statement of the detenue and the petitioner alongwith Roznamcha Report, the undersigned returned from the police station.

In nutshell, in view of the statement given verbally as well as in writing by the detenue-Anshu Patel, the undersigned set her free finding her in illegal confinement of her parents -Surinder Kumar Patel and Babita Patel(respondent Nos.4 & 5) at their house against her wishes, and she was handed-over to her husband-Ravi Kumar(Petitioner).

Accordingly, the above report is submitted for kind perusal of the Hon'ble Court.'

In view of the above, the petition stands dismissed as having been rendered infructuous.

(SANDEEP MOUDGIL)
JUDGE

18.03.2025
anuradha

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