



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

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**CRM-M No.3457 of 2025 (O&M)
Date of decision: 21.04.2025**

Omprakash
State of Punjab and others
.....Petitioner
Versus
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aman Kumar, Advocate
for the petitioner.
Mr. Nitesh Sharma, DAG, Punjab.

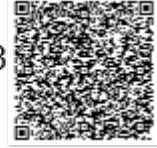
HARPREET SINGH BRAR J. (Oral)

Prayer in this criminal writ petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of habeas corpus for releasing the detainee namely Aman daughter of Prithvi Raj, aged about 20 years, from the illegal custody of the private respondents. Further prayer has been made to appoint a Warrant Officer to search the premises where the alleged detainee has been illegally confined.

On 04.04.2025, the following order was passed by this Court:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner and detainee had performed marriage on 11.03.2025, as per the Hindu Customary Rites and Ceremonies. The private respondents, who are family members of the alleged detainee opposed the marriage and apprehending harm, the petitioner and detainee filed a

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petition i.e. CRWP No.2682 of 2025, before this Court, seeking protection to their life and liberty and the same was disposed of on 19.03.2025 (Anenxure P-1). On 28.03.2025, the parents of the detenue have got the petitioner involved in a false case and the petitioner was detained in preventive custody and proceedings under Sections 126, 135(3) and 170 of BNS, 2023, were initiated. Further, the petitioner moved an application before the Senior Superintendent of Police, Fazilka, in this regard on 02.04.2025 (Annexure P-3). Learned counsel for the petitioner further submits that the petitioner apprehends that there is every likelihood that the detenue would be harmed or eliminated for marrying with the petitioner against the wishes of the private respondents.

Notice of motion for 21.04.2025.

The jurisdictional police authorities are directed to trace the wife of the petitioner i.e. the detenue namely Aman, and produce her before the jurisdictional Court.

The concerned Court is directed to record the statement of the detenue and in case, she wishes to join the company of the petitioner, she may be allowed to go with him or in alternative, if the detenue expresses a desire to live with her parents, she shall be allowed to go with them.

Further, the jurisdictional police authorities are directed to ensure the protection of the petitioner and his wife.”

Learned State counsel, at the very outset, submits that in compliance of the directions issued by this Court, the alleged detenue was produced before the jurisdictional Court and her statement was recorded and she has made a categoric statement that she wishes to live with her parents and before recording her statement, learned Judicial

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Magistrate Ist Class, Abohar, recorded her satisfaction that she is making her statement without any pressure and with her free will.

In view of the above, no further directions are required to be passed.

Disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

21.04.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No