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

CRWP-4226-2025

DECIDED ON: 02.05.2025

VICKRAM SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rashmeet Singh, Advocate
for the petitioner.

Mr. Jastej Singh, Addl. AG Punjab

SANDEEP MOUDGIL, J (ORAL)

This is Criminal Writ Petition under Article 226 of the Constitution of India, for issuance of a writ in the nature of Habeas Corpus for release of Kamalpreet Kaur daughter of Tarlochan Singh resident of House No.201, Sector-5-C, Mandi Gobindgarh, District Fatehgarh Sahib, now wife of Vickram Singh, from the illegal detention of the respondent No.4 to 7 or to issued a direction for appointment of warrant officer to get release the detenue namely Kamalpreet Kaur from the illegal custody of private respondents No.4 to 7.

In compliance of the order dated 25.04.2025, reply by way of an affidavit of Shubham Aggarwal, IPS, Senior Superintendent of Police, District Fatehgarh Sahib, has been filed, which is taken on reocrd. The relevant portion of the reply reads as under:-

“The petitioner Vickram Singh alleged in the present petition that on 01-12-2023 he solemnized marriage with Kamalpreet Kaur (alleged

detenue) daughter of Tarlochan Singh, resident of village Kukad Majra, Mandi Gobindgarh, P.S Mandi Gobindgarh, District Fatehgarh Sahib. The petitioner alleged that his wife Kamalpreet Kaur was illegally detained by her family members and she was also harassed by her family members. The matter has been inquired by the S.H.O, Mandi Gobindgarh through SI Amandeep Kaur.

That during the inquiry the petitioner Vickram Singh was joined to the inquiry and his statement was recorded As per allegations of the petitioner, the private respondents no.4 to 7, who are family members of Kamalpreet Kaur (alleged detenue) were against this marriage. Tarlochan Singh (respondent no.4) is father of Kamalpreet Kaur, Mukhtiar Kaur (respondent no.7) is the mother of Kamalpreet Kaur, Sandeep Singh (respondent no.5) and Sarabjit Singh (respondent no.6) are brothers of Kamalpreet Kaur. The petitioner alleged that the private respondents illegally detained Kamalpreet Kaur.

The police party headed by SI Amandeep Kaur visited village Kukad Majra, P.S Mandi Gobindgarh, District Fatehgarh Sahib to inquire into the whereabouts of Kamalpreet Kaur (alleged detenue). In this regard DDR no.20 dated 30-04-2025 was registered at P.S Mandi Gobindgarh.

That thereafter, upon reaching village Kukad Majra, the brother of Kamalpreet Kaur informed that they had left Kamalpreet Kaur at the house of their aunt (Bhua) Bhupinder Kaur alias Bhindri, resident of Morinda, District Rupnagar. Accordingly, the police party, along with the mother and brother of Kamalpreet Kaur, proceeded to Morinda, where they met Bhupinder Kaur at the Morinda bus stand along with Kamalpreet Kaur. DDR no.37 dated 30-04-2025 was also recorded to this effect.

That Kamalpreet Kaur recorded her statement to the effect that her date of birth is 27-08-1999; she has studied up to B.A. and completed a two-year diploma in Fashion Designing. She has two brothers - Sandeep Singh and Sarbjit Singh. Her father works as a painter and her mother is employed under the Mid-Day Meal scheme at Government School, Kukkar Majra. She has known to the

petitioner Vickram Singh for about 9 years. On 01-12-2023, she solemnized marriage with the petitioner Vickram Singh of her own free will as per Sikh rites and ceremonies at Gurdwara Akal Bunga Sahib, Shri Fatehgarh Sahib, without the knowledge or presence of her family members. She stated that despite the marriage, she had continued to reside with her parental family and had never stayed with the petitioner Vickram Singh at his house. For the past one and a half months, she had been staying willingly at Morinda with her aunt (Bhua) Bhupinder Kaur at his house near Railway Station Morinda, District Rupnagar, to assist in looking after the daughter-in-law of Bhupinder Kaur, as the daughter-in-law of Bhupinder Kaur had met with an accident. Kamalpreet Kaur categorically stated that she was residing there of her own will, was under no pressure, and had not been forcibly detained by anyone. She also mentioned that all members of her family are treating her well and expressed a desire that her family should meet petitioner Vickram Singh once, after which she would accept whatever decision her family takes. True translation of statement of Kamalpreet Kaur is Annexure R1/T.

That the aunt of Kamalpreet Kaur (alleged detainee), namely Bhupinder Kaur also recorded her statement on 30-04-2025 to the effect that Kamalpreet Kaur is residing with her at her house near Railway Station Morinda, District Ropar (Rupnagar), with her own free will, from past 12 month. Kamalpreet Kaur (alleged detainee) has been looking after the daughter-in-law of said Bhupinder Kaur, as the daughter-in-law of Bhupinder Kaur met with an accident. True translation of statement of Bhupinder Kaur is Annexure R2/T.

That, in view of the above factual position and the statement of Kamalpreet Kaur (alleged detainee), it is respectfully submitted that no case of illegal detention is made out against respondents no.4 to 7. The alleged detainee has categorically stated that she is residing with her aunt of her own free will and is under no threat, coercion, or undue influence from any person. She has also expressed that she has not been forcibly kept by her family members. Hence, the present

petition filed by the petitioner seeking issuance of a writ in the nature of Habeas Corpus is devoid of merits and deserves to be dismissed.”

In the light of above, since the inquiry has revealed that the alleged detenue Kamalpreet Kaur is not in illegal confinement fo respondents No.4 to 7 and residing at her own free will without any pressure and caution, the interference by this Court is not warranted specially for issuance of writ in the nature of *habeas corpus*.

Hence the petition stands disposed off.

The petitioner would be at liberty to take alternate legal remedial measures including under Hindu Marriage Act, 1955.

(SANDEEP MOUDGIL)
JUDGE

02.05.2025
Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>