



CRWP-4275-2025

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

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**CRWP-4275-2025
Decided on :26.05.2025**

Jagdeep Singh

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Jasdeep Singh, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Article 226 of the Constitution of India for seeking issuance of writ in the nature of Habeas Corpus read with Section 528 of BNSS, 2023 for directing official respondents No. 2 and 3 to get release the detinue namely, Arshdeep Kaur (daughter of the petitioner), who has been illegally detained/kidnapped by respondents No. 4 and 5.

2. On 08.05.2025, following order was passed:

“ Mr. Puneet Sharma, Advocate, has put in appearance on behalf of the respondent No.5, and files his Yakalatnama, which is taken on record.

In compliance to the directions passed by this Court, vide order dated 28.04.2025, detinue is neither recovered by the Police for producing her before this Court, nor she has appeared on her own.

Status report dated 07.05.2025 by way of an affidavit of Jaspal Singh Dhaliwal, PPS, Deputy Superintendent of Police, Sub-Division Lambi, District Sri Muktsar Sahib has been filed on behalf of respondent-State. The same is taken on record.

As per para 3 (iv) of the said status report, detinue-Arshdeep Kaur was working as Lecturer on part-time basis in Government Polytechnic College, Fatuhi Khera and as per the statement of one Jashanpreet Singh, Lecturer (Incharge of the college on the said date), detinue-Arshdeep Kaur was working



in their college as Lecturer on part-time basis and on 17.04.2025, she came in the college at 9:00 AM and she left the college at 9:25 AM, saying that her mother is admitted in the hospital.

From the status report, another fact is also clear that one protection petition was filed by detainee and private respondent No.4-Akashdeep Singh, which was fixed before the learned Sessions Judge on 17.04.2025, and on the basis of the joint statement of both the petitioners therein, the said petition was disposed of saying "dismissed as withdrawn".

Inspector Gurwinder Singh, SHO Police Station Labmi is present before the Court at the time of hearing and he expresses his difficulty by submitting that despite making strenuous efforts, the Police could not reach out to record the statement of detainee, as directed by this Court.

List on 14.05.2025.

To be taken up at 2:00 PM.

Meanwhile, Senior Superintendent of Police, Sri Muktsar Sahib (Respondent No. 2) is directed to examine the situation as a whole and take all necessary steps to secure the recovery of the detainee and ensure her presence before this Court on the next date of hearing, failing which, he shall personally appear before this Court to explain the steps taken towards her recovery."

3. Thereupon, on 14.05.2025 following order was passed:

"1. Present petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of Habeas Corpus read with Section 528 of BNSS, 2023 for directing official respondent Nos. 2 and 3 to get release the detainee namely Arshdeep Kaur (daughter of the petitioner) who has been illegally detained/kidnapped by respondent Nos.4 & 5.

2. In compliance to the directions dated 28.04.2025 and 08.05.2025, alleged detainee-Arshdeep Kaur is produced before the Court by Inspector Gurwinder Singh, SHO, Police Station Lambi, Sri Muktsar Sahib and stated that the required statement of the detainee has been recorded.

3. As per the statement, detainee-Arshdeep Kaur (daughter of the petitioner-Jagdeep Singh) is happily residing with respondent No.4-Akashdeep Singh, after performing marriage with him. Since, her husband is serving in District Bhilwara in the State of Rajasthan, detainee and respondent No.4 are residing together there happily as husband and wife.

4. To understand the position more clearly, some deliberations were done by the Court itself with the detainee, by calling her inside the Chamber in the presence of Law Researchers, as well as the learned State counsel. Also, petitioner Jagdeep Singh and Taya of detainee namely Jagdish Singh were called during the course of discussion/deliberation. Detainee-Arshdeep Kaur, petitioner-Jagdeep Singh and Taya of detainee namely Jagdish Singh talked with each other and thereupon it is resolved that detainee would go back to her matrimonial home and from there she along with her husband (respondent No.4) would go to her



parental house to meet all the family members, so that situation can be cooled down.

5. *Moreover, the detainee has performed marriage with her own choice with respondent No.4 and disagreed with the proposal of petitioner and other family members, who wanted to marry her with somebody else against her wishes.*

6. *With the objective of enabling the parties to rebuild their relationship, it is observed that it will be open for the detainee to visit her parental house within a week from today along with her husband and after staying there for a duration of her choice, would return back to join her matrimonial home or would be free to take her own decision in this regard. It may not be treated as a mandate/direction, however, it is left only to achieve the object of creating harmony amongst the family members of both the sides.*

It is also expected that no unwarranted situation would be created at the instance of the petitioner and his family members;

To apprise the situation, parties may cause appearance through their counsels before the Court on the next date of hearing.

List on 26.05.2025.

To be taken up at 2:00 PM.”

4. Today, despite the case being called twice, none appeared on behalf of the petitioners or the respondents on either occasion.

5. Learned State Counsel informs the Court that, during the pendency of the present petition, detainee, namely Ms. Arshdeep Kaur, has returned to her parents' home and is presently residing with them.

6. In view of the statement made by the learned State Counsel, this Court does not find any substantial reason to continue with the present proceedings. Accordingly, the same is hereby disposed of.

**(SANJAY VASHISTH)
JUDGE**

26.05.2025

Rashmi

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No