

2025.PHHC:167755



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

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CRWP-12942-2025 (O&M)

Date of decision: 02.12.2025

Sagar Kumar**...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sunil Kumar Pandey, Advocate and
Mr. Anand, Advocate
for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

Mr. Ishant, Advocate
for respondents No. 4 to 11.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for issuing a writ in the nature of Habeas Corpus for release of the wife of the petitioner, namely Babli, who has been illegally confined/detained by respondents No. 4 to 11.

2. On 30.11.2025, the following order was passed by this Court:

“...Learned counsel for the petitioner submits that he has solemnized marriage with the above named detenue on 13.11.2025 and had filed a petition bearing number CRWP-12412-2025, titled as Babli and another vs. State of Punjab and others, seeking protection to their life and liberty, which was disposed of on 18.11.2025, thereby directing Senior Superintendent of Police, Sri Muktsar Sahib to look into the matter. The petitioner and the detenue were living happily together. However, she has

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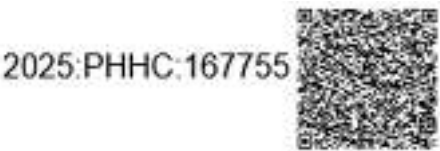
been taken away forcefully from the custody of the petitioner on 20.11.2025 by the private respondents, who are her family members, and the private respondents are performing her second marriage against her wishes today itself i.e. 30.11.2025.

Notice of motion for 02.12.2025.

Respondent No. 2-Senior Superintendent of Police, Sri Muktsar Sahib is directed to immediately visit the residence(s) of respondents No. 4 to 11 and recover the alleged detainee. She shall be produced before the Illaqua Magistrate today itself, who will record her statement and make arrangements for her lodging in Protection Home/Aashiyana till further orders. The Illaqua Magistrate shall send a report along with the statement of the alleged detainee to this Court on or before the next date of hearing. The alleged detainee shall also be produced before this Court on the next date of hearing along with a Lady Constable while ensuring her protection.

3. In compliance with the aforementioned directions, the alleged detainee was recovered from the house of his parents and was produced before the Judicial Magistrate First Class, Malout. Her statement was recorded, wherein she stated that her parents were performing her marriage with some other boy but she wants to live with her husband i.e. the present petitioner. A report along with the statement of the alleged detainee has been forwarded to this Court by the Magistrate concerned.

4. Today, the detainee has been produced before this Court by the Inspector Varun Yadav, SHO, Police Station City Malout along with L/ASI Veerpal Kaur. An interaction was done with her in the chamber of this Court, wherein she stated that she is major and had performed marriage with the



present petitioner but was residing at a discreet place since they were apprehending threats from her parents and family members. However, her parents had traced her and had forcibly taken away with them and were performing her marriage with some other boy. She has categorically stated that she wants to live in the company of the present petitioner.

5. In view of the above, the present petition is disposed of. The alleged detainee is ordered to be united with the present petitioner. The above named police officials shall take her to Malout and shall ensure her peaceful transfer to the petitioner. Respondent No. 2-Senior Superintendent of Police, Sri Muktsar Sahib is directed to ensure that no harm is caused to the petitioner or the detainee by any of the private respondents even in future. They shall periodically check about their well being.

6. Let a copy of this order be given *dasti* to the police officials under the signatures of the Reader of this Court.

02.12.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No