



CRWP-13560-2025

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

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Decided on: 23.12.2025

Gaurav Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kuldeep Singh Saini, Advocate for the petitioner.

Mr. Ravneet Singh Lekhi, AAG, Punjab.

Mr. Gagandeep Singh, Advocate for respondents No. 4 to 6.

SANJAY VASHISTH, J.

1. Instant criminal writ petition, has been filed by petitioner – Gaurav Kumar, aged about 26 years, under Article 226 of the Constitution of India, for issuance of a Writ in the nature of Habeas Corpus, directing respondent Nos.2 and 3 to release her wife namely Itey Aery (detenue herein), from the illegal custody of respondent Nos.4 to 6.
2. While hearing petitioner on 15.12.2025, following order was passed:

“1. Instant Habeas Corpus, has been filed by the petitioner – Gaurav Kumar, aged about 26 years, under Article 226 of the Constitution of India, for issuance of a Writ in the nature of Habeas Corpus, directing respondent



Nos.2 and 3 to release her wife namely Itey Aery (detenue herein), from the illegal custody of respondent Nos.4 to 6.

2. *It has been pleaded in the present petition that marriage between the petitioner and detenue, 'Itey Aery', was solemnized on 30.10.2025, in the age of 26 years. However, being love marriage, it was not approved by parents of the detenue, i.e. respondent Nos. 4, 5, and 6. To ensure their protection, petitioner and detenue had earlier filed a joint protection petition, i.e., CRWP11792-2025, which was disposed of, vide order dated 03.11.2025 (Annexure P2), by directing the official respondents to decide the representation dated 30.10.2025 filed by the petitioners therein, and, in case of any genuine threat to the life and liberty of the petitioners, to take necessary steps to prevent harm.*

3. *Pursuant to the direction of this Court, respondent No.3 – SHO, Police Station Nurpur Bedi, District Ropar, called the parties to the police station and recorded their statements. During this process, private respondent Nos. 4 to 6 stated on record that they had no objection to the love marriage of petitioner and detenue. However, subsequently, family members of the detenue, i.e., respondent Nos. 4 to 6, took the pretext of performing certain ceremonies at their residence and forcibly retained the detenue in their house, refusing to allow her to leave. As a result, detenue has been confined to a room against her will and is not being allowed to communicate with the petitioner.*

4. *It is further pleaded that a complaint regarding this grievance has already been addressed to the Senior Superintendent of Police, Ropar, but no effective action has been taken.*

5. *Additionally, it is pleaded that petitioner's wife/detenue, 'Itey Aery', sent an email dated 14.12.2025*



(Annexure P-4) to the petitioner, stating that her life and liberty are under threat and private respondents intend to force her into marriage with another person Hence, present habeas corpus petition has been filed by the petitioner before this Court, seeking the immediate release of her wife (detenue).

6. *Notice of motion.*

7. *On asking of the Court, Mr. Neeraj Madaan, Sr. DAG, Punjab, accepts notice on behalf of respondent Nos.1 to 3 (State). Let requisite copies of the complete paper book be handed over to the learned State counsel, during the course of the day.*

8. *Meanwhile, respondent No.2 – Senior Superintendent of Police, Ropar – is directed to immediately depute police officer(s)/official(s), not below the rank of Sub-Inspector, and if possible, the officer deputed should be a woman, or, if not, must be accompanied by a female member in the team of other police officials. The deputed officer(s) shall visit the house(s) of private respondent Nos. 4 to 6 or any other place where the alleged detenue, 'Itey Aery', is allegedly being illegally detained. The concerned officer(s) shall record the statement of the alleged detenue, 'Itey Aery', ensuring that it is given voluntarily and is free from any influence, coercion, threat, or undue pressure. Thereafter, a report prepared by the officer(s) shall be submitted before this Court on or before the next date of hearing.*

9. *After recording the statement, if the officer(s)/official(s) finds that detenue is a major and has been illegally detained, she shall be released immediately.*

10. *Adjourned to 23.12.2025."*

3. At the very outset, learned counsel for the petitioner submits that during the pendency of the instant petition, detenue has already been



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released and set at liberty; therefore, present petition has been rendered
infructuous.

4. Ordered accordingly.

(SANJAY VASHISTH)
JUDGE

December 23, 2025
rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**