



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-12496-2024

Date of Decision: 31.12.2024

Gurwinder Singh

...Petitioner

VS

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

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

Mr. Brijesh, AAG, Punjab.

VIKRAM AGGARWAL, J (ORAL)

1. Prayer in the present petition preferred under Articles 226/227 of the Constitution of India is for the issuance of a writ in the nature of Habeas Corpus seeking release of the detenu 'Reesha Rangi' aged about 19 years from the illegal custody of respondents No.5 to 8.

2. Mr. Jashan Mehta, Advocate has put in appearance on behalf of respondent Nos. 5 to 9 and has filed his power of attorney.

3. On 23.12.2024, the following order was passed:-

“1. Petitioner - Gurwinder Singh, aged about 21 years, has filed instant petition for issuance of a writ in the nature of Habeas Corpus for releasing of detenu 'Reesha Rangi, who is wife of the petitioner, from the illegal detention of respondents No.5 to 8, who are parents and other relatives of the alleged detenu.

2. Learned counsel for the petitioner submits that both petitioner and the detenu, being of eligible age to make their own decisions, performed their marriage on 13.12.2024 with their own free will and wish. Respondents No.5 to 8, who are parents and other family members of the detenu, were unhappy with the marriage, and therefore, on 17.12.2024, said respondents along with 14-15 other persons came in three cars and gave beatings to both of them (petitioners and the alleged detenu). They took the petitioner at



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Police Station Morinda, where, respondent No.3 - SHO, Police Station Morinda, Distt. Rupnagar, recorded statement of the petitioner. Respondent No.4 - SHO, Police Station Sadar Khuni Majra, Distt. Rupnagar, also assured that the detenu would be returned the following day i.e. on 18.12.2024, but without allowing the detenu to return/to joint the petitioner company at her matrimonial house, she has been forcibly confined by the private respondents.

3. Notice of motion.

4. On advance notice, Mr. S.S. Gill, St. DAG, Punjab, appears for respondents No.1 to 4 (State) and seeks time to get instructions and to file status report, if any.

Requisite copies of the complete paper book have already been supplied to the learned State counsel.

5. Meanwhile, respondent No.2 - Senior Superintendent of Police, Rupnagar, is directed to immediately depute some police officers)/officials), to visit the houses) of respondents No. 5 to 9 or any other place of detention, where the alleged detenu 'Reesha Rangi' is illegally detained. The concerned police officers)/official(s) would record the statement of the alleged detenu Reesha Rangi. Such officer would ensure that the statement of the alleged detenu 'Reesha Rangi' is free from any kind of influence, fear or pressure, and thereafter, report prepared by him/her be produced before this Court on or before the next date of hearing fixed before this Court.

7. After recording the statement, if such officer(s)/official(s) realises that detenu is major and has been illegally detained, he/she would get her released immediately.

8. Adjourned to 31.12.2024."

4. Today, a short reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division, Morinda, District Rupnagar has been filed in the Court today. As per the same, statement of the detenu 'Reesha Rangi' was recorded on 27.12.2024, which has also been annexed with the reply, in which the detenu 'Reesha Rangi' has stated that she is now happily residing with her parents and does not wish to accompany the petitioner. The detenu has also been produced in Court. She has been examined. She submits that the petitioner had performed marriage with her

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by misleading her and that she is now happily residing with her parents and does not wish to accompany the petitioner.

5. That being so, no further directions are required to be passed by this Court and the petition is accordingly dismissed.

(VIKRAM AGGARWAL)
JUDGE

31.12.2024*Prince Chawla*

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