

Shall Have No Objection for Grant of Divorce to Amandeep Kaur Vs. State of Haryana and Others

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Court : Punjab and Haryana

Decided On : Feb-12-2014

Appellant : Shall Have No Objection for Grant of Divorce to Amandeep Kaur

Respondent : State of Haryana and Others

Judgement :

CRWP No.2213 of 2013 -1- IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH CRWP No.2213 of 2013 Date of decision:12.02.2014. Ravi Kumar Saini ... Petitioner Vs. State of Haryana & others ... Respondents CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA. Present: Mr. Ranjivan Singh, Advocate for the petitioner. Mr. Pradeep Virk, DAG, Haryana. Mr. M.S. Brar, Advocate for respondents No.4 to 7. Mr. Simranjeet Singh Sarwara, Advocate for respondent No.8. TEJINDER SINGH DHINDSA, J.

(ORAL). This order shall dispose of the present petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for issuance of a writ of habeas corpus to secure the release of detinue namely Amandeep Kaur D/o Late Sh. Lakhmi Chand who was alleged to be in the illegal detention of the private respondents. The present petitioner namely Ravi Kumar Saini claims to be a close friend of the detinue Amandeep Kaur. During the course of hearing of the present petition, a Warrant Officer had been duly appointed. The detinue namely Amandeep Kaur was found in the house of her mother i.e. respondent No.4 and

her statement was duly recorded by the Warrant Officer in which she has stated that she does Kaur Harjeet 2014.02.13 14:32 I attest to the accuracy and integrity of this document CRWP No.2213 of 2013 -2- not want to live in her parental home and that she had been forcibly married to Narinder Singh S/o Mam Raj, respondent No.8. Under such peculiar circumstances, Amandeep Kaur had been admitted to Nari Niketan, Sector-26, Chandigarh. She was produced before the Court on 14.01.2014, whereupon she reiterated her stand in consonance with her statement that had been recorded by the Warrant Officer. Upon the production of Amandeep Kaur, who is otherwise a major, the present petition has been rendered infructuous for all intents and purposes. However, keeping in view the interest of the girl in question namely Amandeep Kaur, the parties had been directed to appear before the Mediation and Conciliation Centre of this Court. A report dated 17.01.2014 of the Mediator has been placed on record along with the compromise dated 17.01.2014 that has been entered into between the parties. It would be apposite to reproduce the entire compromise and the detailed conditions contained therein. The compromise reads in the following terms: Present: Ravi Kumar Saini-petitioner Kanta Devi-respondent No.4 Tara Chand, Dhanwanti Devi, respondents No.5 and 6. Gurjit Singh-respondent No.7 Narinder Singh-respondent No.8 and Ms. Amandeep Kaur (Detenue) d/o late Lakhmi Chand. ***** A mutual settlement has been arrived at between the parties on the following terms:- 1. That respondent No.8-Narinder Singh son of Mam Raj Kaur Harjeet 2014.02.13 14:32 I attest to the accuracy and integrity of this document CRWP No.2213 of 2013 -3- shall have no objection for grant of divorce to Amandeep Kaur d/o late Lakhmi Chand and shall file appropriate petition before this Hon'ble Court or before the Sessions Court as advised.

2. That Amandeep Kaur shall not claim any maintenance or permanent alimony either on her behalf or on behalf of 'to be born child'. The child to be born out of wedlock of Amandeep Kaur and Narinder Singh shall remain with Amandeep Kaur. Narinder Singh shall have no right or claim over the said child.

3. That Amandeep Kaur is not willing to go with respondent No.4 i.e. her mother. She wants to either stay at Nari Niketan or at any other place on her own, to which respondent No.4 has no objection.

4. That respondents No.4 to 7 have no concern with Amandeep Kaur and shall continue to have no concern with day-to-day activities of Amandeep Kaur.
5. That the petitioner as well as the respondents No.4 to 8 shall not enter into litigation of any kind between each other regarding the present subject matter.
6. That the present compromise has been effected between the parties and they have signed the same without any threat, force or coercion and out of their own free will.
7. That since all the parties are not conversant with the English language, the above-said terms have been read over in their language and they have admitted the same to be correct. Ravi Kumar Saini-petitioner Kanta Devi-respondent No.4 Tara Chand-respondent No.5 Dhanwanti Devi- respondent No.6 Gurjit Singh-respondent No.7 Narinder Singh-respondent No.8 Ms. Amandeep Kaur (Detenue) d/o late Lakhmi Chand _____ Witnesses Kaur Harjeet 2014.02.13 14:32 I attest to the accuracy and integrity of this document CRWP No.2213 of 2013 -4- Krishna w/o Roop Chand, Village Sounta, Distt. Amabala. Joginder s/o Mam Chand, Village Alipura, Tehsil Jagadhari Distt. Yamunanagar. 17.01.2014 (Vishal Sharma) Mediator. The present petition is disposed of as having been rendered infructuous. It is further observed that the parties shall remain bound in the light of compromise dated 17.01.2014 as reproduced herein above. It is, however, ordered that the detenue namely Amandeep Kaur be released from Nari Niketan, Sector 26, Chandigarh. Disposed of. February 12, 2014 (TEJINDER SINGH DHINDSA) harjeet JUDGE Kaur Harjeet 2014.02.13 14:32 I attest to the accuracy and integrity of this document