

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:058149



206

CRWP-10089-2023 (O&M)
Date of Decision: 03.05.2025.

Sushil Kumar

...Petitioner.

Versus

State of Punjab and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Ms. Ramandeep Kaur, Advocate for
Ms. Paninder Kaur, Advocate for the petitioner.

SUKHVINDER KAUR, J. (Oral)

Short reply by way of affidavit dated 25.02.2025 of Jaspinder Singh, PPS, Deputy Superintendent of Police, Zirakpur, District SAS Nagar filed on behalf of respondents No.1 to 3 is taken on record.

It has been submitted in the said report that the petitioner had not mentioned any specific date, month and year in the instant petition as to when the detinue was allegedly detained by respondent No.4 and as to where he was detained and as such present petition is not only vague but is also preposterous. It has been submitted that on 10.10.2023, a call was received on emergency helpline No.112 from one Dinesh (brother of detinue Suresh Solanki) that his brother had been held captive by his wife in a room and they were fighting with each other. On receiving the aforesaid call local police officer reached at the spot and then Suresh Solanki (detinue) and his wife/ respondent No.4 entered into a written compromise

on 10.10.2023, stating that they would not fight with each other. On 10.10.2023 itself, respondent No.4 got recorded her statement stating that she was going with her mother and she would take legal recourse against her husband in the Court.

On 13.10.2023, Suresh Solanki submitted a complaint before the SHO, Police Station Zirakpur against respondents No.5 and 6 and one Aman for committing theft of house hold articles from his rented accommodation i.e. Flat No.196-C, Urban Vatika, Zirakpur. On enquiry by HC Ramandeep Singh, it was found that matrimonial dispute was going on between the parties and the articles which the complainant Suresh Solanki had alleged to be stolen, actually came under the *Istridhan* of his wife and no offence for committing theft was made out.

Thus, it emerges from record that the detinue had appeared before this Court on 28.11.2023 and it had been observed in the order of the said date that the relief prayed in this petition does not subsist but only for exploring an amicable solution, the parties were being put to notice. Thus when on 28.11.2023, detinue had already appeared before this Court, the relief prayed in this petition does not subsist and it has become infructuous. Moreover, it is also apparent from the status report that matrimonial dispute is going on between the parties, regarding which they can seek the legal remedies available to them. So, present petition is dismissed as having been rendered infructuous and no further order is required to be passed.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

03.05.2025.

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