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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Habeas Corpus) No. 22 of 2015**

Smt. Dhaneshwari Sarkar, W/o Mukesh Kumar Sarkar, d/o Shri Ekadasiya Thawait, Aged About 28 Years R/o Near Durga Mandir, Mohan Talkies Road, Jamnipali, Korba, P. S. City Kotwali, District Korba (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Department Of Home Affairs, Mahanadi Bhawan, New Mantralay, District Raipur (Chhattisgarh)
2. Inspector General Of Police, Bilaspur, District Bilaspur (Chhattisgarh)
3. Superintendent Of Police, Bilaspur, District Bilaspur (Chhattisgarh)
4. Superintendent Of Police, Korba, District Korba (Chhattisgarh)
5. Officer-In-Charge, Police Station Sarkanda, Bilaspur, District Bilaspur (Chhattisgarh)
6. Vinay Kumar Sarkar, R/o Palash - 10, Parshuram Chowk, Rajkishore Nagar, P. S. Sarkanda, District Bilaspur (Chhattisgarh)
7. Smt. Amiyarani Sarkar W/o Vinay Kumar Sarkar, R/o Palash - 10, Parshuram Chowk, Rajkishore Nagar, P. S. Sarkanda, District Bilaspur (Chhattisgarh)
8. Mukesh Kumar Sarkar S/o Vinay Kumar Sarkar, Aged About 35 Years R/o Palash - 10, Parshuram Chowk, Rajkishore Nagar, P. S. Sarkanda, District Bilaspur (Chhattisgarh)

---- Respondents

Petitioner:	Shri Kalyan Kalamkar, Advocate.
Respondents No.1 to 5/State:	Shri Vivek Sharma, Government Advocate.
Respondent No.6 & 7:	Shri Devershi Thakur, Advocate.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board**Per Navin Sinha, Chief Justice****22/12/2015**

1. Heard Learned Counsel for the Petitioner, Respondents No.1 to 5 – State and Respondents No.6 & 7.

2. In this writ application styled as Habeas Corpus, the Petitioner asserts a lawful marriage with Respondent No.8 contending that subsequently his parents were not approving of the marriage and had kept the husband confined, not allowing access to the Petitioner for staying together.

3. In view of the nature of relationship between the parties, both being adults, we are satisfied that Respondent No.8 cannot be said to be in illegal confinement. If the absence of Respondent No.8 is affecting the matrimonial life of the Petitioner, she has sufficient remedies including under Section 9 of the Hindu Marriage Act for restitution of conjugal rights before the competent Family Judge under the Family Courts Act.

4. The Writ Petition is disposed in the aforesaid terms.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE