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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPHC No. 19 of 2015**

- Jai Kumar Jaiswal S/o Late Shri Bajrang Prasad Jaiswal, Aged about 36 years, R/o Dayalband, Gandhi Chowk, Police Station- City Kotwali, District Bilaspur, Civil And Revenue District Bilaspur, (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State of Chhattisgarh Through The Secretary, Home Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Superintendent of Police, Raipur, District Raipur, (Chhattisgarh)
3. Station House Officer, Police Station- Ganj, District- Raipur, (Chhattisgarh)
4. Rajendra Kumar Sharma, S/o Prakash Chand Sharma, Aged About 55 Years R/o In front of Ambedkar Hospital, Upon Bastar Art, Raipur, District Raipur, Civil And Revenue District Raipur, (Chhattisgarh)
5. Priyanka Sharma, W/o Jai Kumar Jaiswal, Aged about 29 Years D/o Rajendra Kumar Sharma, R/o In front of Dr. Ambedkar Hospital, Upon Bastar Art, Raipur, District Raipur, Civil And Revenue District Raipur, (Chhattisgarh)

**---- Respondents**

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For Appellant : Shri Awadh Tripathi, Advocate

For Respondents- 1, 2 : Shri Ashish Shukla, GA  
and 3/ State

For Respondent- 5 : Shri Nishikant Sinha, Advocate  
Petitioner and Respondent- 5 are  
present in the Court

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**Hon'ble Shri Justice P. Diwaker &  
Hon'ble Shri Justice Inder Singh Uboweja**

**ORDER**

**28.08.2015**

Per **P. Diwaker, J.**

- 1) This petition has been filed by the petitioner styled as Writ Petition Habeas Corpus for production of his wife, respondent- 5 herein.
- 2) According to the petitioner, he is languishing in jail since 2010, but when he was released on parole on 19.10.2012, he married respondent- 5 in Arya Samaj, Raipur and then again went back to jail. Recently, the petitioner has been released again from jail on parole, but respondent- 4, father of respondent- 5 is not permitting respondent- 5 to live with him.
- 3) In this petition, the petitioner has prayed that respondents- 2 and 3 be directed to produce his wife, respondent- 5 before this Court, who has been illegally detained by respondent- 4. It has also been prayed by the petitioner that respondent- 4 be restrained from creating any obstacle between him and respondent- 5 for living together.
- 4) Shri Nishikant Sinha submits that though marriage of respondent- 5 has been solemnized with the petitioner, but she is residing at Raipur with her father, respondent- 4, as the petitioner was in jail. He further submits that yesterday

Police came to the house of respondent- 4, recorded his statement as well as the statement of respondent- 5. Respondent- 5 has already informed the Police that there is no pressure on her by respondent- 4, her father. She has also informed the police that she is willing to go with the petitioner. Respondent- 5 present in the Court submits that her father too has stated before the Police that if his daughter, respondent- 5 wants to live with the petitioner, he has no objection.

- 5) Considering the fact that respondent- 5 is willing to live with the petitioner and there is no pressure on her, no further order is required from this Court.
- 6) The petition is accordingly disposed of.

Sd/-  
(P. Diwaker)  
JUDGE

Sd/-  
(I.S.Uboweja)  
JUDGE