

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

263

CRWP No. 1420 of 2015
Date of decision:-21.12.2015

Sonia

.....Petitioner

Versus

State of U.T., Chandigarh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No

2. To be referred to the Reporters or not? Yes/No

3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. S.K Chaudhary, Advocate,
for the petitioner

Mr. A.S Gulati, Advocate, for
Mr. D.S Brar, Addl. P.P., UT, Chandigarh.

Mr. M.S Bajwa, Advocate,
for respondent No. 4 & 5.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus to release detainee namely, Ajay Tank who is stated to be in illegal custody of respondent No. 4 to 8.

Ajay Tank, the alleged detainee is present in the Court and states that he has solemnized marriage with Pooja and both of them are happy in their married life. He further states that there is no pressure upon him.

Learned counsel for the petitioner submits that the

detenue namely, Ajay Tank is minor and it cannot be a case of valid marriage.

Keeping in view the statement made by Ajay Tank, it cannot be said that it is a case of illegal detention. The age of alleged detenue is disputed but the said fact cannot be decided in this petition and as such, the petition being devoid of any merit is hereby dismissed. However, the petitioner is at liberty to avail appropriate remedy, if any, available under law.

21.12.2015

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**(DAYA CHAUDHARY)
JUDGE**