

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH***

**Criminal Writ Petition No.362 of 2016
Date of Decision:-18.3.2016**

Anil Kumar Panchal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Ashok K. Sharma (Bhana), Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Petitioner has filed the present petition for issuance of writ in the nature of habeas corpus to release the alleged detainee Vijayeta Panchal, who is stated to be in illegal custody of respondents No.5 to 7.

Interestingly, the present petition has been filed by brother-in-law of the alleged detainee. The detainee is allegedly in the illegal custody of her father as well as cousin and brother-in-law (Jija).

Learned State counsel has filed the statement of alleged detainee Vijayeta Panchal, recorded by the police as well as the affidavit submitted by her, duly attested by the Notary Public on 17.3.2016. As per affidavit, Vijayeta Panchal, the detainee, who is law graduate is practising as Lawyer and has gone to her parents on 11.3.2016 and she is not in illegal custody of respondents No.5 to 7. The statement as well as affidavit of the alleged detainee are taken on record.

In view of the above, it is held that the alleged detainee Vijayeta is not in illegal custody of the respondents and, therefore, filing of the present petition in the nature of habeas corpus is nothing, but an abuse of process of law.

Therefore, the present petition is dismissed with costs of Rs.5,000/-, which shall be deposited by the petitioner with the State Legal Services Authority, Haryana within one week from today and receipt thereof shall be submitted with the Registry of this Court.

March 18, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE