

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

Sr.No.248

CRWP-343-2018

Date of Decision:02.11.2018

Gursahib Singh

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARVIND SINGH SANGWAN

Present: Mr.Brijesh Nandan, Advocate
for the petitioner

Mr.J.P.Ratra, DAG Punjab

ARVIND SINGH SANGWAN, J.(ORAL) :

Prayer in this petition for issuance of a writ in the nature of Habeas Corpus to release the wife of the petitioner namely Rinky Dinesh Upadhyay.

While issuing notice of motion on 10.04.2018, it was noticed by this Court that though the wife of the petitioner is stated to be detained by her parents and relatives in Maharashtra but the petitioner has chosen to file the present habeas corpus petition in this Court and the learned counsel for the petitioner had restricted his prayer to the extent of issuing notice to the private respondents to seek their reply in the matter.

Reply by way of affidavit of SI/SHO, Police Station Kacha Pakka, District Tarn Taran, dated 17.10.2018, filed today in the Court and the same is taken on record.

As per the reply, the brother of Rinky Dinesh Upadhyay namely Vikas Dinesh Upadhyay i.e. respondent No.4 has given a complaint dated 05.07.2017 against petitioner Gursahib Singh, which was inquired

into by SHO Police Station Bhikhiwind and it was found that the petitioner Gursahib Singh and Rinky Dinesh Upadhyay were working in Mumbai and performed a love marriage and, thereafter, they started living in village Dayalpur, District Tarn Taran. Thereafter, parents of Rinky Dinesh Upadhyay came and she went with her parents by stating that she will return back in a month. However, she never returned back and rather an FIR No.438 dated 27.12.2016, under Sections 452/323/34 IPC, Police Station Navghar Police Thane (Maharashtra) was registered against the petitioner in which he is on bail. It is further stated in the affidavit that the family of Rinky did not want to send her back to the house of the petitioner.

In view of the same, no further action is required.

The petition stands disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

02.11.2018

neenu

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No