

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

CRWP No.372 of 2018

Date of Decision: 29.05.2018

Vishnu Kumar

....Petitioner

Versus

The State of Haryana and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- None for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

DAYA CHAUDHARY, J. (ORAL)

The present petition has been filed by petitioner-Vishnu Kumar under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus to set free the detainee, namely Manu from the illegal custody of respondents No.4 and 5.

As per averments made in the petition, the petitioner and the detainee, being major met each other and they wanted to get married but their parents were not agreeing with the said marriage. Now the alleged detainee is residing with her parents contrary to her wishes and the present petition has been filed by the husband on the ground that the detainee is in the illegal custody of private respondents.

In response to notice of motion, reply has been filed in the Court and the same is taken on record.

In the reply, it has been mentioned that the statement of alleged detainee was recorded which is reproduced in para No.1 of the reply.

On perusal of reply and especially para No.1, wherein, the statement of the detainee has been recorded, it appears that she does not want to perform marriage with petitioner-Vishnu and she never talked with him with the intention to perform marriage. It has also been stated that she is residing with her parents as per her will and there is no pressure from either side.

Keeping in view the statement of alleged detainee, it cannot be said that she is in the illegal detention of private respondents and the present petition, being devoid of any merit, is hereby dismissed.

(DAYA CHAUDHARY)
JUDGE

29.05.2018

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No