

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

CRWP-404-2018
Date of decision: 14.05.2018

Amit

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Kuldip Singh, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Harish Nain, Advocate
for respondent No. 4.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for appointment of a Warrant Officer to get the detenue, namely Sonu wife of the petitioner, released from the illegal custody of respondent No. 4.

The present petition has been filed by the petitioner on the ground that his wife is in illegal custody of respondent No. 4. Petitioner and detenue solemnized their marriage but, subsequently, the detenue was forcibly taken away by respondent No. 4. Notice of motion was issued in this case and respondent No. 3 was directed to produce detenue-Sonu before this Court.

Alleged detainee is present in Court today and she has been identified by learned counsel for respondent No. 4. She has stated that she is residing with her parents happily as per her consent and there is no pressure upon her by any person. She does not want to reside with the petitioner. Learned counsel for respondent No. 4, on instructions from the family members including respondent No. 4, has undertaken before this Court not to cause any harm to the petitioner.

Keeping in view the statement made by detainee Sonu, it is not a case of illegal detention.

The present petition is, therefore, dismissed.

14.05.2018

Waseem Ansari

**(DAYA CHAUDHARY)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*