

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

**Criminal Writ Petition No.419 of 2018
Date of decision: 10.08.2018**

Rajesh Kumar

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Lalit Gupta, Advocate as Amicus Curiae
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana
for the respondent -State.

Daya Chaudhary, J. (Oral)

A written complaint made by the petitioner was treated as criminal writ petition on judicial side. As per averments made by the petitioner, he was married with Nikki in the year 2013 and after a few days of marriage, his wife went to her maternal home to meet her family members but she did not come back. It has come to the notice of the petitioner that his wife has been sold out to someone in U.P. Several complaints have been made to the Police Authorities but no action has been taken.

Notice of motion in the case was issued on 11.05.2018.

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

Learned State counsel on the basis of reply submits that Nikki has left the company of the petitioner after 15-20 days of the marriage.

Thereafter, she returned to her Village Anchra and solemnized marriage with Kanwar Pal about 15 years ago. Statement of Sarpanch of that village has been recorded wherein he has stated that the petitioner is habitual intoxicant and is in the habit of making complaints. Out of present marriage, four children are there i.e., two daughters and two sons. The eldest daughter of Nikki is 13 years of age.

It has also been mentioned in the reply that statement of detenue was also recorded wherein she has stated that she has married with one Kanwar Pal about 15-20 years and she is having four children i.e., two daughters and two sons. She has also stated that she is happy with the marriage and her parents have already expired.

In view of the statement made by the detenue as well as the Sarpanch of the village, it appears that it is not a case of illegal detention and the present petition being devoid of any merit is dismissed.

10.08.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No