

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

CRWP No.459 of 2018

Date of decision : 23.05.2018

Kamaljit Singh alias Mohammad Hashim

.....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Amjad Khan, Advocate for the petitioner.

* * *

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Articles 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus or for appointing a warrant officer for searching the detenue namely Shehnaz, the wife of the petitioner, who is stated to be in illegal detention of the private respondents.

Learned counsel for the petitioner submits that the petitioner and the alleged detenue are husband and wife and they had solemnized their marriage on 26.05.2015 against the wishes of the detenue's family members. Private respondents were against the marriage of the petitioner with the detenue and they were apprehending threat to their lives and liberty.

Heard arguments and I have also perused the averments made in the petition.

It is nowhere mentioned in the petition that the detenue is

residing against her wish with the private respondents, who are her family members including the parents. It has simply been mentioned that the petitioner tried to contact the parents and relative of the detinue but they refused and not allowed him to talk with the detinue. It is also mentioned that the petitioner received a call from the police station and on reaching there, the police officials took signatures of the parents of the petitioner on some blank papers.

On perusal of these averments mentioned in the petition as well as arguments raised by learned counsel for the petitioner, it cannot be said to be a case of illegal detention and writ of habeas corpus can not be issued.

Accordingly, the present petition being devoid of any merit is dismissed.

However, the petitioner is at liberty to avail the appropriate remedy, if he is aggrieved in any manner.

23.05.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No