

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

CRWP No.554 of 2018
DATE OF DECISION:12.10.2018

Sudhir

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Naveen Singh Panwar, Advocate
for the petitioner.

Mr. D. K. Mittal, DAG, Haryana.

Mr. Arun Luthra, Advocate
for respondent No.5.

DAYA CHAUDHARY, J.(ORAL)

Reply on behalf of respondents No.1 to 3 has been filed in the
Court today and the same is taken on record.

Petitioner, namely, Sudhir has filed the present petition under
Article 226 of Constitution of India praying for issuance of a writ in the
nature of Habeas Corpus for release of detainee, namely, Manisha wife of
respondent No.5.

Petitioner has stated himself to be the business partner of
alleged detainee, namely, Manisha. He has also stated that they are having
friendly relation with each other. Detenue has been stated to be in illegal
custody of respondent No.5 who is husband of the detainee. Learned
counsel for the petitioner submits that now the detainee is not with
respondent No.5 and during pendency of the petition she has been released

as earlier Warrant Officer was appointed. Learned counsel also submits that not only the detenue but petitioner is also apprehending threat at the instance of respondent No.5.

Learned counsel for respondent No.5 submits that there are good relations between detenue and respondent No.5 and detenue is under the influence of petitioner and that is why many litigations are pending. He also submits that in case any dispute is there between the detenue and respondent No.5, legal remedy available is not to file the habeas corpus petition.

Keeping in view the submissions made by learned counsel for the petitioner as well as respondent No.5 and by considering the fact that the detenue has been released earlier, the present petition has become infructuous. In case the detenue is aggrieved in any manner with respondent No.5, she is having remedy to avail the appropriate remedy before the appropriate forum.

Dismissed as having become infructuous.

12.10.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No