

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Writ Petition No.627 of 2018 (O&M)
Date of decision : 01.08.2018

Prem Chand

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. K.L.Saini, Advocate for the petitioner.

RAJ SHEKHAR ATTRI, J.(Oral)

The petitioner has preferred the instant petition under Section 482 Cr.P.C. for issuance of a writ in the nature of habeas corpus directing respondent Nos.1 to 4 to produce the detinue namely Ritu, who is none else but wife of Prem Chand-petitioner.

She is residing with her mother and other relatives in her parental house.

It is also claimed that the intimation has been given to the police and the police has already registered a case FIR No.236 dated 25.09.2017, under Section 346 IPC. The said matter has already been seized by the police.

To the mind of this Court, the instant petition is an abuse of the process of law. Said Ritu has gone to stay with her parents, therefore, it cannot be said that she has been illegally detained. Thus, no ground is made out to issue any direction as prayed for.

As such, the instant petition stands dismissed with costs of Rs.20,000/- which shall be paid to Ritu, wife of the petitioner. Copy of the order be sent to Ritu, wife of the petitioner.

01.08.2018

mamta

(RA J SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No