

242.

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

CRWP-674-2018

Date of decision:05.09.2018.

AJAIB SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ORS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Deepak Kumar, Advocate,
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of Habeas Corpus directing respondents No.2 and 3 to release the detainee Manjit Kaur from the illegal custody of respondent No.4.

On notice of motion having been issued, Manjit Kaur is present in Court. Even respondent No.4-Inderjit Singh is also present.

Learned State counsel, on instructions from SI Gurjit Singh, Police Station Sirhand, identifies the detainee Manjit Kaur as well as respondent No.4-Inderjit Singh. Manjit Kaur states that she is not inclined to go with the petitioner and has left the matrimonial home at her own.

On the other hand, learned counsel for the petitioner states that Manjit Kaur left the matrimonial house leaving behind two minor children.

Be that as it may, since the limited prayer in the present petition is qua the release of Manjit Kaur from the illegal custody, this Court finds that once Manjit Kaur has stated that she has left the house at her own and staying with Inderjit Singh, the prayer of the petitioner for habeas corpus no more survives.

Accordingly, present petition stands disposed of.

It is made clear that the observations made herein shall not be construed as an expression on the merits of the case, as same are confined only for limited extent for disposal of writ of habeas corpus.

Petitioner is also at liberty to avail the remedy/s available under law and present order shall not be an impediment for such remedy/s.

(HARI PAL VERMA)
JUDGE

05.09.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No