

266.

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

CRWP-911-2018

Date of decision:21.11.2018

ASHOK KUMAR

... Petitioner

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Manpreet Ghuman, Advocate,
for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, for respondent No.1.

Mr. Jagjit Singh, Advocate,
for respondents No.6 to 8 and
for the alleged detainee-Neha @ Raman.

HARI PAL VERMA, J.(Oral)

Prayer in this criminal writ petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of habeas corpus for releasing the detainee Neha @ Raman (daughter of petitioner-Ashok Kumar), who is in illegal custody of respondent No.4 with collusion of respondents No.5 to 8.

Vakalatnama(s) filed on behalf of respondents No.6 to 8 and the detainee-Neha @ Raman, in court today, are taken on record.

During the course of arguments, it has been emerged that the petitioner-Ashok Kumar is married to respondent No.6-Hardeep Kaur and out of this wedlock, Neha @ Raman was born. There is a matrimonial

dispute between Ashok Kumar and Hardeep Kaur and they are not residing together.

While issuing notice of motion on 14.11.2018, the SHO, Police Station Moonak was directed to produce the detinue Neha @ Raman before this Court.

Pursuant thereto, Neha @ Raman is present in Court, who has been identified by the counsel appearing on behalf of respondents No.6 to 8 as well as on behalf of the detinue. He states that no doubt, father's name of Neha @ Raman is Ashok Kumar-the petitioner, who is present in Court, but Neha @ Raman is happily staying with her mother Hardeep Kaur and as on date, she would like to stay with her only.

This Court has confronted Neha @ Raman as well, who has stated that she would like to stay with her mother Hardeep Kaur.

In view of above, this Court finds that Neha @ Raman is not in illegal custody of the private respondents. The parties are at liberty to avail the other remedy as available under law.

Dismissed.

(HARI PAL VERMA)
JUDGE

21.11.2018

sanjeev

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