

247.

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

CRWP-916-2018

Date of decision:29.11.2018

HARI DASS

... Petitioner

versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Mukesh K. Sharma, Advocate,
for the petitioner.

Mr. Anmol Malik, AAG, Haryana,
for respondents No.1 to 3.

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 to release the detenue-Aman Bharti from the illegal custody of respondents No.4 to 6.

Pursuant to order dated 15.11.2018, Mr. Malkiat S. Hundal, Advocate, has put in appearance on behalf of respondents No.4 to 6 and filed his power of attorney, which is taken on record.

The alleged detenue, Aman Bharti is present in Court. She has been identified by learned counsel appearing on behalf of respondents No.4 to 6. On a specific query as put to Aman Bharti as to whether she is in illegal custody of respondents No.4 to 6, she has outrightly stated that she is not in illegal custody of the respondents. She further states that respondent

No.4-Kuldeep Singh and respondent No.5-Malkit Kaur are her parents, whereas respondent No.6-Amit Kumar is her brother.

In view of statement so made by the alleged detenue-Aman Bharti, this Court finds that she is not in the illegal custody of respondents No.4 to 6, rather she is staying with her family at her own. The filing of present petition is sheer abuse of process of law and deserve to be dismissed with costs.

Accordingly, present petition is dismissed with costs of Rs.10,000/- to be deposited with the Haryana Legal Services Authority within 15 days from today.

(HARI PAL VERMA)
JUDGE

29.11.2018
sanjeev

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