

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

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CRWP-166-2019 (O & M)
Date of Decision:14.02.2019

Sanjay Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.S. Jammu, Advocate
for the petitioner.

MANOJ BAJAJ, J.

The petitioner has filed this petition for issuance of writ in the nature of habeas corpus for release of his alleged wife namely Monika, who is said to be in illegal custody of the private respondents No.7 to 9.

Learned counsel for the petitioner has contended that the alleged detainee entered into marriage with the petitioner on 15.01.2019 and thereafter, they filed a protection petition before the learned Sessions Judge, Sirsa. On 23.01.2019, the Sessions Judge, Sirsa sent the petitioner and his alleged wife to the protection home. Learned counsel has further conceded that the police from Police Station Surajgarh, District Jhunjhnu, Rajasthan visited the protection home at Sirsa and took away Monika with them. The learned counsel has further referred to Annexure P-4, which is the DDR pertaining to the visit of the police officials from Police Station Surajgarh, in relation to case No.302/18 under Sections 363 and 366-A of the Indian Penal Code. Learned counsel for the petitioner does not dispute that presently the girl is residing at Rajasthan with her parents.

Considering the above and the fact that the custody of the girl is with the parents, which has been obtained by them through adopting the procedure of law by getting the case registered. Besides, the girl is residing at Rajasthan which is beyond the territorial jurisdiction of this Court and, therefore, no ground is made out for issuance of any directions.

This petition is dismissed.

14.02.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No