

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1911-2020

Date of Decision: 20.02.2020

Harpal Singh

.. Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harchand Singh Batth, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

Through the instant petition, the petitioner is seeking issuance of a writ in the nature of Habeas Corpus for release of his wife, who is stated to be in illegal custody of respondent No.4, who is none else, but the wife of petitioner's brother-in-law.

It is stated in the petition that detenue Ramandeep Kaur had gone with respondent No.4-Palwinder Kaur on 16.11.2019 and did not return and her whereabouts are not known since then. It is claimed in the petition that the petitioner brought the matter into the notice of police authorities about missing of his wife, but no action has been taken so far.

Having heard learned counsel for the petitioner, this Court is of the opinion that the facts and circumstances of the case are not such that calls for any indulgence by the Court. Petitioner is stated to have married to Ramandeep Kaur ten years ago and have two children. Though in the petition, the stand of the petitioner is that his wife has been in illegal confinement of respondent No.4, but in the complaint (Annexure P-2) made by the petitioner to the SSP, Tarn Taran, which clinches the whole issue, it

has been averred therein that Ramandeep Kaur (the alleged detainee) in connivance with respondent No.4 and her family members, has solemnized marriage somewhere else without taking divorce from the petitioner. Thus, it cannot be said to be a case of illegal detention within the scope and ambit of habeas corpus.

In the circumstances, no case is made out to issue any directions. The petition is dismissed. However, if so advised, the petitioner may avail any other remedy permissible under law for redressal of his grievance.

20.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No