

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

**CRWP No.7172 of 2020
Date of Decision : 14.09.2020**

Mandeep

...Petitioner

Versus

State of Haryana and others

...Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Ms. Rajni Gupta, Addl. A.G. Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed by the petitioner seeking writ of habeas corpus for the release of detainee namely, Mamta, aged 39 years, daughter of Ram Kumar, whom the petitioner claims to be his wife and who is being alleged to be kept in the illegal custody by respondent No.4 i.e. real brother of the alleged detainee. The petitioner has already filed petition under Section 9 of the Hindu Marriage Act, 1955 and the so called detainee namely, Mamta is not living with the petitioner for the last one and a half years.

The present petition is nothing but an abuse of the process of law. Once, the petitioner has already filed a petition under Section 9 of the Hindu Marriage Act, 1955, the present petition, according to the petitioner, has been filed being the efficacious remedy to secure the presence of his

wife. Nothing has been placed on record to show that the wife of the petitioner i.e. Mamta is being kept in illegal custody by her real brother-respondent No.4 and that too against her wishes.

Present petition being totally frivolous and an abuse of process of law is dismissed.

September 14, 2020
aarti/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No