

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

CRWP-1339-2022

Date of decision-14.02.2022

Arti Kapoor @ Arti Rani

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Surjit Singh Sodhi, Advocate for
Mr. Kamal Singh, Advocate for the petitioner.

MANOJ BAJAJ, J. (Oral)

Petitioner has preferred this petition under Article 226 Constitution of India for issuance of writ in the nature of habeas corpus by way of directions to respondent Nos.1 to 3 for release of detenue, namely, Nitin Kapur from the illegal custody of respondent Nos.4 to 7.

Learned counsel for the petitioner has argued that the husband of the petitioner is in illegal detention of respondent Nos.4 to 7, who are his parents and other relatives. He prays that the writ in the nature of habeas corpus be issued for release of the petitioner from the illegal custody of the private respondents.

During the course of hearing, it is not disputed that the petitioner and her husband have strained relations and litigation between them is pending. He states that the petition filed under Section 125 Cr.P.C seeking maintenance from her husband is pending

adjudication before the Family Court at Yamuna Nagar, whereas the divorce petition bearing No.55-2020 filed by husband under Section 13 Hindu Marriage Act, 1955 stands withdrawn on 13.10.2021.

After hearing learned counsel for the petitioner and considering the above background, particularly the fact that the husband and wife are residing separately for quite some time and are litigating against each other, this Court is not inclined to exercise extraordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

14.02.2022

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No