

CRWP-3716-2022 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.249

CRWP-3716-2022 (O&M)
Date of decision: 05.05.2022

MANISH KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Salinder Kumar Saini, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Brijender Kaushik, Advocate
for the respondent No.4.

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VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for invoking writ jurisdiction of this Court under Article 226/227 of the Constitution of India read with Section 482 Cr.P.C. in the nature of Habeas Corpus for securing release of the detainee namely Rupal Devi daughter of Sohan Lal and illegally wedded wife of the petitioner.

Learned counsel for the petitioner has contended that marriage of Rupal Devi was solemnized with the petitioner on 04.03.2022, as per Hindu Rites and Ceremonies. The said Rupal Devi is daughter of Sohan Lal and was major at the time of her marriage. It is, however, contended that her parents took Rupal Devi along with them on a false pretext and they had pressurized her to discontinue any relation with the petitioner under the

threat of elimination.

When the matter came up for preliminary hearing on 22.04.2022, the Superintendent of Police, Ambala was directed to ensure production of detainee- Rupal Devi before this Court.

Today, on resumed hearing the alleged detainee-Rupal Devi has been produced by the respondent-State.

The pointed query was raised to Rupal Devi as regards any threat being extended to her by her parents to which she replied in the negative. It was also queried from the aforesaid detainee- Rupal Devi as to whether she would prefer to go with the petitioner-Manish (her lawfully wedded husband) to which she had replied that she would want to go with her father-Sohan Lal.

In this view of the matter, no further directions are required to be called for in the instant petition. The parties shall, however, be at liberty to take recourse to the alternative remedies available to them in accordance with law.

The custody of Rupal Devi has been handed over to her father, who is present in the Court and she is at liberty to proceed with them.

Dismissed as not pressed, at this stage.

05.05.2022
Amandeep

(Vinod S. Bhardwaj)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No