

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-3569-2023
Date of Decision: May 10, 2023

AJIT Petitioner

Versus

STATE OF HARYANA AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Balwant Singh, Advocate for the petitioner.
Mr. Gaurav Bansal, DAG, Haryana.
Mr. Vikas Gulia, Advocate and
Mr. Bhanu Udai, Advocate for respondents No.3-8.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Article 226/227 of Constitution of India, prayer has been made for issuance of writ in the nature of Habeas Corpus for directing respondent Nos.4-6 to produce and release the alleged detainee Kareena i.e. respondent No.3.
2. Learned counsel for petitioner submits that the alleged detainee is legally-wedded wife of petitioner who has been illegally detained by respondents No.6-8.
3. On the other hand, learned State counsel while referring to the status report dated 08.05.2023 which have been filed today in Court submits that the statement of Kareena was recorded by the Police officials at P.S. Baroda, District Sonapat wherein she categorically stated that she never stayed with the petitioner and does not want to keep any relationship with him as she got married with one

CRWP-3569-2023**-2-**

Ashish son of Shamsheer Singh village Chhatehra, Tehsil Gohana, District Sonapat by her parents on 20.06.2022.

4. Learned State counsel also points out to an order dated 27.02.2023 passed by the Court of Principal Judge, Family Court, Sonapat whereby a petition under Section 9 of Hindu Marriage Act, 1955 for restitution of conjugal rights filed at the instance of petitioner stands dismissed.

5. In view of the above, once the respondent No.3 who is married and does not intend to join the company of petitioner out of her own free wish and will and also in the wake of the proceedings filed before Family court at Sonapat, I do not find it appropriate to issue any directions in the present writ petition. The petitioner shall be at liberty to avail his remedies in accordance with law.

6. Disposed of with aforesaid liberty.

10.05.2023
Tejwinder

(**HARKESH MANUJA**)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

