

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRWP-5592-2023

Date of Decision: July 17, 2023

Kishan

.....Petitioner(s)

Vs.

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rahul Bhargava, Advocate for the petitioner(s).

Mr. Manish Bansal, Sr. DAG, Haryana

ANOOP CHITKARA J. (ORAL)

The present petition has been filed for issuance writ in the nature of Habeas Corpus directing the official respondents to get release the detenue-Neelam (wife of the petitioner) from the illegal custody of respondent No.4.

2. Instructions have been filed in the Court and the same is taken on record. A copy thereof has also been supplied to counsel for the petitioner.

3. State counsel, on instructions from PSI-Ajay Kumar submits that they had inquired from the alleged detenue and she stated that she is living away from the petitioner on his own free will and she is not under any restriction. She was asked to record her statement under Section 164 Cr.P.C., which she refused.

4. On this, counsel for the petitioner submits that earlier warrant officer was unable to trace her and this is very strange that the police has traced her.

5. In my considered opinion, the detenue-Neelam is legally wedded wife of the petitioner and he can take statutory recourse available to him in accordance with law.

6. With the aforesaid observations, the present petition is disposed of. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

July 17, 2023

sonia arora

Whether speaking/reasoned:

Yes/No

Whether reportable:

No