

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

244

CRWP-10419-2023

Date of Decision : November 07, 2023

MANISH KUMAR

-Petitioner

V/S

STATE OF HARYANA AND OTHERS

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ajit Kumar Sharma, Advocate for
Mr. Chander Shekhar Singhal, Advocate
for the petitioner.

Mr. Chetan Sharma, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Today, the alleged detenu Guddan has been produced before this Court, who has suffered a statement on oath (Ex.P1), which is taken on record.

2. In her statement (Ex.P1), the alleged detenu Guddan has stated in unambiguous terms that she has been voluntarily living with her parents and does not want to join the company of the petitioner. A bare glance at Ex.P1 reveals that the alleged detenu is not all in any wrongful confinement, which may impel this Court to issue a writ of habeas corpus. However, it appears that the petitioner has, instead of filing a petition under Section 9 of the Hindu Marriage Act, 1955, has motioned this Court, on false grounds, through the instant petition.

3. In view of the above made statement, the present petition is dismissed with costs of Rs.15,000/-, in respect whereof, the petitioner shall draw a demand draft in favour of the alleged detenu Guddan and shall

submit the said demand draft before the S.H.O., Police Station Saha, District Ambala, who shall on receipt of such demand draft, hand over the same to the alleged detenu Guddan.

November 07, 2023
devinder

(KULDEEP TIWARI)
JUDGE

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