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

CRWP-2093-2024

Date of decision: 05.03.2024

Amit Kumar

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sankalp Gehlawat, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

The present criminal writ petition has been filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. seeking issuance of a writ in the nature of *habeas corpus* directing respondents No.2 & 3 to know the whereabouts of the wife of the petitioner, namely, Priya aged about 22 years and to release her from the illegal custody of respondents No.4 & 5.

Learned counsel for the petitioner *inter alia* contends that the petitioner and the sister of private respondents have performed marriage on 18.07.2022 and the same is discernible from the marriage certificate (Annexure P-1). He further submits that after the marriage, petitioner and his wife started cohabitating together as husband and wife. On 19.07.2023, wife of the petitioner was forcibly taken by her parents and her brothers i.e. the private respondents, against her wishes and since then, she has been illegally confined.

Notice of motion.

Ms. Geeta Sharma, DAG, Haryana puts in appearance and accepts notice on behalf of official respondents-State.

In view of the above, the present petition is disposed of with a direction to the jurisdictional police authorities/police officers to produce the wife of the petitioner before the concerned jurisdictional Magistrate for recording her statement. In case, she deposes to stay with the petitioner, she may be released forthwith. However, in case she deposes that she is staying with her parents out of her own will, she may be allowed to go to her parental house.

(HARPREET SINGH BRAR)
JUDGE

05.03.2024
Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No