

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-4195-2024
DECIDED ON: 09.05.2024

AJAY RANA
.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Randeep Tanwar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus seeking production of detenue Nikita Rani wife of the petitioner, who has been illegally confined by respondents No.3 to 5 since 06.03.2024 at their residence.

Since the alleged detenue namely, Nikita Rani is major and is living with her own biological parents but the petitioner has asserted that she is her legally married wife.

In the light of the fact that there is a statutory remedy available with the petitioner as provided by the Legislation under Section 9 of Hindu Marriage Act seeking Restitution of Conjugal Rights, the instant petition by way of Habeas Corpus under Article 226 of the Constitution of India is absolutely unwarranted and an abuse of process of law.

Hence, the same is dismissed being not maintainable.

(SANDEEP MOUDGIL)
JUDGE

09.05.2024
Poonam Negi

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