

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

Date of decision: 20.01.2024

...Petitioner

$$\mathbf{V}/\mathbf{s}$$

...Respondents

Present: Ms. Bhumika, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Gurjant Singh, Advocate for
respondents No. 4 and 5.

HARPREET SINGH BRAR J. (ORAL)

1. Present petition has been filed under Article 226 of Constitution of India seeking issuance of a writ in the nature of Habeas Corpus directing respondents No. 4 and 5 to release the detenue namely Sridevi daughter of respondents No. 4 and w/o Rishipal (present petitioner).

2. Learned counsel for the petitioner submits that the detenue is wife of the petitioner and she has been illegally confined by respondents No. 4 and 5. Respondents No. 4 and 5 are mother-in-law and brother-in-law of the petitioner and private respondents are keen to re-marry her forcibly with someone else.

3. Mr. Gurjant Singh, Advocate has put in appearance on behalf of respondents No. 4 and 5 and filed power of attorney, which is taken on record.

4. Learned counsel for respondents No. 4 and 5 submits that the petitioner has not approached this Court with clean hands and he has

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concealed the fact that wife of the petitioner has ran away with the brother-in-law of the petitioner with regard to which the sister of the petitioner has already lodged FIR No. 54 dated 31.01.2023 registered under Sections 120-B, 323, 324, 347, 380, 406, 498, 498-A and 506 of Indian Penal Code at Police Station Chandimandir, District Panchkula.

5. Learned State counsel has filed reply dated 18.01.2024, by way of affidavit of Aryan Chaudhary, HPS, Assistant Commissioner of Police, Panchkula on behalf of official respondents No. 1 to 3. The same is taken on record. Learned State counsel, on instructions from ASI Parveen Kumar, affirms the stand taken by learned counsel for respondents No. 4 and 5.

6. In view of the facts and circumstances of the present case, no interference is called for and the present petition is hereby dismissed.

(HARPREET SINGH BRAR)
JUDGE

20.01.2024
Ajay Goswami

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