

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 23RD DAY OF DECEMBER 2010

PRESENT

THE HON'BLE MR. JUSTICE RAM MOHAN REDDY

AND

THE HON'BLE MR. JUSTICE A.S. BOPANNA

WPHC NO.224 OF 2010

BETWEEN :

SRI.VIKRAM, S/O ACUTHA
AGE: 24 YEARS
R/A KUDRU HOUSE
POST: TALAPADY, SOMESHWAR
VIA: SOMESHWAR UCHIL, MANGALORE ... PETITIONER

(BY SRI.P.P.HEGDE, ADV.)

AND :

1. THE STATE OF KARNATAKA
REP BY THE SECRETARY
HOME DEPARTMENT, VIDHANA
SUDHA, BANGALORE
2. THE DIRECTOR GENERAL OF
POLICE, BANGALORE
3. THE COMMISSIONER OF POLICE
MANGALORE, D.KANNADA DIST.
4. THE POLICE SUB-INSPECTOR



ULLALA POLICE STATION, ULLAL
MANGALORE, D.K.DISTRICT

REP BY THE STATE PUBLIC
PROSECUTOR, HIGH COURT OF
KARNATAKA, BANGALORE

... RESPONDENTS

(BY SRI.H.S.CHANDRAMOULI, SPP)

This WPHC is filed under Articles 226 of the Constitution of India praying to issue a writ in the nature of Habeas Corpus directing the respondents / police to search the petitioner's wife Mrs.Navya R., aged 19 years, D/o D.V.Rajanna and etc.

This petition coming on for preliminary hearing this day, **RAM MOHAN REDDY J.**, made the following

ORDER

This is a husband's petition to direct the search of his wife by name Navya R., D/o D.V.Rajanna and to cause her physical production before the Court and set her at liberty and extend protection to the petitioner and his wife to lead a peaceful marital life, as also for a direction to register the FIR on the basis of the petitioner's complaint - Annexure-C alleging abduction of petitioner's wife.



2. Although, learned counsel for the petitioner makes a fervent request that the petitioner's wife by name Navya R. produced before Court be directed to have a personal interaction with the petitioner since according to the learned counsel, the wife is under duress from her parents and relatives, we were not impressed by that submission.

3. The submission of the Learned State Public Prosecutor that the petitioner's wife is not willing to join the husband and that, there is no force, threat or coercion either by the parents or the relatives of the wife by which there is a compulsion not to restore marital life, seems to us to be acceptable. We say so because the lady by name Navya, identified by the learned SPP through the police of Mangalore present before Court, submits that her decision not to return to the martial home is voluntary without any compulsion. If that is so, nothing much can be done, except to state that the petitioner may seek redressal before competent Courts



of law in the matter of either restitution of conjugal rights or otherwise, if so advised, and in that view of the matter, petition stands closed.

Sd/-
JUDGE

Sd/-
JUDGE

RV