(1990) 05 AHC CK 0018

Allahabad High Court

Case No: Civil Miscellaneous Habeas Corpus Petition No. 10995 of 1990

Radhey Shyam and others		APPELLANT
	Vs	
Station house Officer, Police Station, Phulpur and another		RESPONDENT

Date of Decision: May 9, 1990

Acts Referred:

- Constitution of India, 1950 - Article 226

Citation: (1990) CriLJ 2071

Hon'ble Judges: Ravi S. Dhavan, J

Bench: Single Bench

Advocate: G.C. Saxena, for the Appellant;

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

1. This is an unusual habeas corpus petition. Twenty-five wedding guests during the wedding ceremonies are alleged to have been confined by the bride''s people. The situation is entirely of bridegroom''s making. The bridegroom, Kanhaiya Lal, was married on 5th May, 1990 in village Dariyapur, P.S. Phulpur, district Allahabad at the house of Indraiit Maurya with his daughter.

2. The next day, 6 May, 1990 was the day of the Bidai and as a measure of formality, which is otherwise an oriental custom, the father asked the bridegroom what he felt of his bride. The answer given by the bridegroom was (as mentioned in the habeas corpus petition) the girl is not fair but as he has been married, he will take the girl.

3. The petition itself narrates the incident that this infuriated the father of the girl, with the result that the bride''s father and his village people have held the wedding guests and are not permitting them to go to their homes, and return to their village.

4. The Court sees the situation thus:

After the bridegroom answered his father-in-law, on how he viewed the bride, he apparently, forgot that he was speaking to the father of the girl. To tell a father that his daughter is not fair, and that also barely hours after marriage, is looking for trouble, which father would like to hear of an ornate wedding-day bride-daughter that she is not fair. The bridegroom talked too much. He was taking home a bride and was insulting womanhood.

5. It has been submitted in argument that the father of the bride is demanding Rupees 60,000/- as damages for wedding expenses before releasing the wedding guests. It is contended that this Court issue warrants on this habeas corpus petition, or at least require the police to interfere in this dispute. Dispute, indeed there is But, it is a situation for the village Panchayat and village elders, not for Court and police. When the time for the police comes, circumstances will move then.

6. Social ill manners of ill-mannered grooms will need to be sorted out by village elders, with everyone keeping on the right side of the law. There is much the groom has to explain.

7. This is not a matter for a habeas corpus petition. The petition is dismissed.

8. Petition dismissed.