

**HIGH COURT OF MADHYA PRADESH BENCH AT INDORE**

**W.P.No.11985/2018**

**Rajesh @ Sonu Solanki vs. State of M.P.**

**Indore**

**29.06.2018**

Ms. Seema Pandey, learned Counsel for the petitioner.

Shri Amit Singh, learned GA for the respondent/State.

The petitioner has filed the present petition seeking direction to the respondent to produce his wife Monica @ Mano Solanki, in the Court and hand over the custody.

According to the petitioner, she is his legally married wife, by virtue of their marriage solemnized in the year 2013. According to the petitioner at present she is illegally residing with one Ajay and the Police is not taking any action.

This Court vide order dt. 4.6.2018 has directed GA to seek instructions.

Today the GA has filed the report. On affidavit it is submitted that Monica @ Mano Solanki, i.e. wife of petitioner is residing with Ajay as wife. The Police has also recorded her statement in which she has stated that she is not wife of the petitioner and she wants to live with Ajay as husband and wife.

If the petitioner is claiming that she is wife and she is not residing with him then he has to file application under Section 9 before the Family Court seeking restitution of conjugal rights. No case for interference in writ petition is made out.

The petition is dismissed.

**(Vivek Rusia)**

Judge

**M.Jilla.**

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