



2024:UHC:10051-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR
AND
HON'BLE SRI JUSTICE MANOJ KUMAR TIWARI

HABEAS CORPUS PETITON NO. 39 OF 2024

31ST DECEMBER, 2024

Rohit Saini Petitioner

Versus

State of Uttarakhand & others Respondents

Counsel for the petitioner : Mr. Vikas Bahuguna, learned counsel through video conferencing

Counsel for the respondents : Mr. J.S. Virk, learned Deputy Advocate General with Mr. Rakesh Kumar Joshi, learned Brief Holder for the State / respondent nos. 1 to 3

: Mr. Ramji Srivastava, learned counsel for respondent No. 5

: Mr. Nishant Krishna Adhikari, learned counsel for respondent No. 6

The Court made the following:

JUDGMENT: (per Hon'ble The Chief Justice Shri G. Narendar)

Heard learned counsel for the petitioner, learned counsel for the 5th respondent, and learned Deputy Advocate General for the State.



2) The Deputy Advocate General has produced the corpus, i.e., the father of the petitioner, who, it is alleged, is admitted in the 4th respondent rehabilitation center, much against his will.

3) Today the Sub Inspector of Police Mr. Ramesh Joshi, Police Station Cantt., District Dehradun is present before the Court along with the detenu.

4) On interaction the detenu would submit that he is willing to accompany his son. The petitioner has also filed a supplementary affidavit, wherein he has deposed as under :

“8. That it is noteworthy to mention here that the deponent has also got passport of the corpus (Mr. Sucha Singh) issued from concerned authorities with the sole intention to take him to Dubai with him for his better health and care. True copy of the passport of corpus (Mr. Sucha Singh) is being annexed and marked as Annexure No. SA-4.

10. That the deponent undertakes that the deponent will take care of his father namely Shri Sucha Singh and if required will take him to Dubai along with him after completing all the formalities.”

5) In view of the desire expressed by the detenu to accompany his son, we direct that he be set at liberty and



2024:UHC:10051-DB

permitted to accompany the petitioner. The detenu is also permitted to use and occupy the room in the premises in question.

6) After having heard learned counsel for the parties, this Court is of the view that it would be equitable and in the interest of the detenu that a constable attached to the local police station be directed to visit the detenu once in five days and record his well being.

7) The habeas corpus petition stands closed, accordingly.

G. NARENDAR, C.J.

MANOJ KUMAR TIWARI, J.

Dt: 31ST DECEMBER, 2024
Negi

HIMANSHU NEGI

Digitally signed by HIMANSHU NEGI
DN: c=IN, o=HIGH COURT OF
UTTARAKHAND, ou=HIGH COURT OF
UTTARAKHAND,
2.5.4.20=bb3b60774012c1ef1dae20d13a
af116e73351fdaf6878326386908a7f90d5
757, postalCode=263001,
st=UTTARAKHAND,
serialNumber=75BD9D0FB7F4A80990FC
51A722A6BC552D470EB4FD2F88DDF7C
18DB2A1524A4D, cn=HIMANSHU NEGI
Date: 2024.12.31 15:28:28 +05'30'