

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

**CRWP No.1619 of 2016 (O&M)
Date of Decision: February 08, 2017**

Saab Kaur

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Manish Dadwal, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

The petitioner has filed this criminal writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus to appoint a warrant officer to locate detinue Manish from the illegal custody of respondent No.3 or 4 or at any other place and to get released the detinue.

Notice of motion was issued and a Warrant Officer was appointed. Learned State counsel appeared and filed the reply. Warrant Officer has also filed the report.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the Warrant Officer was appointed

in this case. As per the report of Warrant Officer, with the orders dated 13.12.2016 passed by this Court, he reached the office of CIA-III, Police Station Palam Vihar, near Spanish Court Block C-I, Palam Vihar, Gurugram at about 8.35 A.M. on 14.12.2016. On enquiry, the alleged detainee was not found confined in the cell. However, it was revealed by the police officials that said Manish is wanted in three cases, which are mentioned in the report. It is further in the report that it has also been apprised that said Manish has been arrested earlier under many cases registered against him. Presently, he is an offender and the Haryana Police has announced a reward of ₹25,000/- for capturing the said accused. Now, as per the reply filed by the State, the detainee Manish had earlier been arrested on 18.12.2016 and three pistols along with a car make Honda Amaze, were recovered from him.

As the petitioner is in judicial custody, therefore, no further action is required in the present petition and the same has been rendered infructuous.

Therefore, the present petition is dismissed as having been rendered infructuous.

Further, learned counsel for the petitioner argued that the detainee has been illegally detained from 09.12.2016 to 18.12.2016 by the police. Without expressing any opinion on this argument, the petitioner is at liberty to avail any remedy available to her.

February 08, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No