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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P. (CrI.) /2018 (to be numbered)

RAGHAV MAHESHWARI

..... Petitioner

Through: Ms. Anjali J Manish, Ms. Priyadarshini
Manish and Nidhi Saini, Advocates

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Satish Aggarwala, Advocate for DRI

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

03.02.2018

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The matter has been listed before this bench upon the same being mentioned before Hon'ble the Acting Chief Justice for urgent listing.

Mr. Satish Aggarwala has appeared on advance notice on behalf of the respondents.

The petitioner has preferred this petition to seek a writ of habeas corpus for production of Mr. Sanjay Maheshwari, the father of the petitioner from the custody of the respondent/ DRI. According to the petitioner, Mr. Sanjay Maheshwari was taken by the officers of the DRI on 02.02.2018 after conducting search at the residential premises from 7 O' clock onwards. The petitioner claims that Mr. Sanjay Maheshwari was detained at the DRI Office

on 02.02.2018 and despite passage of more than 24 hours, he was not produced before the Magistrate during the course of the day today.

Mr. Aggarwala, on instructions, states that summons were issued to Mr. Sanjay Maheshwari for recording his statement under Section 108 of the Customs Act yesterday and again today verbally. He states that after recording his statement, Mr. Sanjay Maheshwari has left the office of the DRI.

Learned counsel for the petitioner has made a telephonic call and confirms that Mr. Sanjay Maheshwari has left the office of the DRI.

Since Mr. Sanjay Maheshwari is now free to return to his home, this petition has become infructuous.

We may observe that there is a dispute as to whether or not Mr. Sanjay Maheshwari had been detained by the respondent/ DRI. However, we are not getting into the same.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J.

NAVIN CHAWLA, J.

FEBRUARY 03, 2018