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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-382-2019

Date of decision-30.04.2019

Ajay Yadav

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanchit Punia, Advocate for the petitioner.

MANOJ BAJAJ, J. (Oral)

The petitioner has filed this petition under Article 226 of the Constitution of India for issuance of writ in the nature of habeas corpus to official respondents for effecting the release of detenues, namely, Sunita, Sanya, Pooja, Kafi, Annu and Lokesh.

On 18.04.2019, following order was passed:-

“The prayer in the present petition is for issuance of a writ in the nature of habeas corpus for getting released the detenues, who are alleged to be detained illegally by respondents No.4 to 8.

The petitioner Ajay Yadav alleged that he had been living with Sunita along with her children namely Sanya, Pooja, Kafi, Annu and Lokesh in live in relationship since 30.03.2019. However, on 17.04.2019, private respondents along with other persons had forcibly entered into the house and kidnaped detenues in the cars bearing No.HR-02-AC-3621 and PB-08-AP-4260. In

case, a Warrant Officer is appointed, they will be found in illegal custody of private respondents No.4 to 8.

Keeping in view the allegations of the petitioner, the Registry is directed to appoint a Warrant Officer to visit the premises of the private respondents No.4 to 8 or to any other place wherever the petitioner has apprehension that the detainees may be kept by private respondents to ascertain their illegal confinement.

The expenses of the Warrant Officer shall be met by the petitioner as per the rules. The Warrant Officer shall submit his report well before the next date of hearing. He may contact the Superintendent of Police, Gurgaon, in case, necessity of police help arises.

Adjourned to 30.04.2019.”

Pursuant to this order, a report has been submitted by the Warrant Officer and the same has been perused.

A perusal of the same reveals that the Warrant Officer visited the place where the alleged detainee along with her children were residing and recorded her statement. Sunita w/o Raj Kumar stated that she wishes to reside with her husband Raj Kumar s/o Ram Pratap, resident of Adarsh Nagar, Hisar. Apparently, the detainee has refused to join the company of the petitioner.

In view of the above, nothing survives for adjudication.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

30.04.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No