

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

CRWP No.842 of 2016

Date of Decision:-05.04.2019

Mukesh Devi

...Petitioner

Versus

State of Haryana and others

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- None for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

This petition was filed by Mukesh Devi w/o Akshey Kumar praying for issuance of direction in the nature of habeas corpus for release of alleged detainee (Akshey Kumar), who was alleged to be taken away forcibly by respondents No.6 and 7 (Baljeet @ Pappu and Devanand @ Matla).

In response to the petition the State has filed the reply by way of affidavit of Suresh Kumar, HPS, DSP Dadri dated 13/14.7.2016, wherein it is mentioned that a case FIR No.120 dated 18.4.2016, under Section 365 IPC was registered at Police Station Sadar, Dadri on the basis of complaint given by Mukesh Devi. Respondents No.6 and 7, namely, Baljeet @ Pappu and Devanand @ Matla were nominated as accused.

Subsequently, offence punishable under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act was also added. There is separate status report filed by the same officer by way of affidavit dated 21.12.2016 indicating that after completion of the investigation the challan was filed. Learned State counsel apprised the Court that the trial was concluded and ended in acquittal of respondent No.6-Baljeet @ Pappu. According to learned State counsel other person i.e. respondent No.7-Devanand @ Matla was found innocent.

The issue raised in this petition for illegal confinement of detainee Akshey Kumar by respondents No.6 and 7 has been gone into, deeply by the police and the trial Court has also examined the material and nothing was found against the respondents.

Apart from the criminal trial, continuous effort was made to trace the alleged missing person, namely, Akshey Kumar, however, his whereabouts were not known. There is no representation on behalf of petitioner for the last three consecutive dates i.e. 22.11.2018, 04.2.2019 and 11.3.2019. Today also no one is present to represent the petitioner.

In view of the above, nothing survives for adjudication in the present petition. Hence, the same is dismissed as infructuous.

April 05, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No