

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-1063-2017 (O&M)
Date of Decision:- 24.1.2019

Kamal ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Alisha Soni, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Amit Chaudhary, Advocate, for respondent No.5.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Kamal has approached this Court seeking issuance of a writ in the nature of Habeas Corpus so as to seek release of Ram Rati alleged to be detained illegally by respondent No.5.
2. Notice of motion had been issued to the respondents.
3. The State has filed its status reports at different points of time by way of affidavit dated 26.9.2017 of Sh. Narender Singh Kadyan, HPS, Deputy Superintendent of Police, Hansi, affidavit dated 27.10.2017 of the same officer and affidavit dated 18.1.2018 of the same very officer.
4. A perusal of the aforesaid affidavits indicates that intensive efforts have been made by the police to trace out the alleged detainee Ram Rati who is stated to be missing but said Ram Rati could not be

traced. It has further been deposed therein that a Special Investigation Team had been constituted to investigate the matter which is supervised by Deputy Superintendent of Police, Hisar. Subsequently, the investigation was also conducted under the supervision of Assistant Superintendent of Police, Hisar but no clue could be found as regards said Ram Rati.

5. Learned State counsel has today informed that in fact a cancellation report had been filed in this case on 27.4.2017 but the same was not accepted by the Illaqa Magistrate and that the matter is presently being investigated further.
6. In view of the aforestated position wherein despite repeated efforts made by the police, Ram Rati could not be traced, this Court does not find that any further direction, is required to be issued in the present case. The petition, as such, is disposed of with a direction to Superintendent of Police, Hansi, District Hisar (respondent No.3) to ensure that the matter is investigated expeditiously and a final report is filed at the earliest.

January 24, 2019

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No