

S.No.136

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

CRWP No.693 of 2019 (O&M)

Date of Decision:20.09.2019

Kusumlata

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Neeraj Verma, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Mr. Rohit Mittal, Advocate for respondents
No.3 to 7.

Rajbir Sehrawat, J.(Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, especially in the nature of habeas corpus to produce the detenue Babu Lal @ Ranjit, the husband of the petitioner; in the Court who has, allegedly, been kept in illegal custody by the private respondents with bad intention and to grab his property illegally.

Notice of motion was issued in this case. Pursuant to that, State has filed the reply by way of affidavit of Jitender Kumar, HPS, Deputy Superintendent of Police (Traffic), Rewari, District Rewari on behalf of respondents No.1 and 2.

It has been stated in the affidavit that the alleged detenue is reported to be missing since the year 2016. The Police have contacted the private respondents, however, they have expressed their ignorance about the whereabouts of the said detenue. It is further pointed out in the affidavit that even before filing of the present petition, the petitioner had approached the Police with the grievance that her husband was missing since long. The

Police had recorded an FIR No.218 dated 14.07.2018. However, after investigation, the untraceable report has been prepared on 10.02.2019.

In view of the above, the present petition, which has been filed for issuance of a writ of habeas corpus, is not maintainable. Hence, the present petition is dismissed.

However, this order passed in the present case; would not be taken as any impediment; in case the petitioner avails any other remedy, in accordance with law.

September 20, 2019
renu

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No