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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.6815 of 2018
Date of decision-22.02.2019

Mahesh Tyagi

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

On 19.12.2018, following order was passed by this Court:-

“Mr. Mahesh Tyagi, Advocate had sent this e-mail expressing the illegal detention of four persons namely Prashant, Sunil, Hemant and Birender, who were called by IO/SHO, Police Station New Colony on 09.12.2018 in relation to the investigation of case FIR No.456 dated 05.12.2018 under Sections 147, 149, 323, 325 and 506 IPC and FIR No.607 dated 06.12.2018 under Sections 147, 149, 324 and 506 IPC at Police Station Civil Lines, Gurgaon (cross-cases). It is mentioned that after 09.12.2018 IO/SHO had detained them illegally.

The said email has been treated as CRWP-6815-2018.

Notice of motion for 14.01.2019.

On the asking of the Court, Mr. Navdeep Singh, AAG, Haryana accepts notice”

Learned State counsel has filed reply on behalf of respondent-State of Haryana, by way of affidavit of Rajeev Kumar, HPS, Asstt. Commissioner of Police, City, Gurugram in Court today. Same is taken on record.

As per the reply, the accused persons, namely, Prashant Bhardwaj, Sunil Kataria, Hemant @ Dabbu, Virender @ Billu, were arrested on 10.12.2018 at 3:30 P.M. The e-mail sent by an advocate (petitioner) on 10.12.2018 contains the allegations that above mentioned four persons called at police station on 09.12.2018 were not produced within a period of 24 hours before the competent court.

According to reply, the accused persons were firstly examined at hospital on 10.12.2018 and no mark of fresh injury was found on their person and on the same day, they were produced before the Ld. Duty Magistrate, Gurugram.

Learned State counsel has further pointed out that Annexure R1 is the statement by petitioner indicating that indeed these persons were produced before the Court on 10.12.2018 and he does not want any legal action on this email.

In view of the reply and statement R-1, nothing survives for adjudication in the petition and the same is rendered infructuous.

Disposed off.

February 22, 2019

Anjal

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No