

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

CRWP No. 1100 of 2019

Date of Decision:-22.11.2019

SEEMA DEVI

.....Petitioner

V/S

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Jaswinder Singh, Advocate for
Mr. Antriksh Sharma , Advocate
for the petitioner.

Mr. Arjun Singh Yadav, Asst.AG Haryana
for respondents No. 1 to 3.

Mr. Harish, Member of Harsh Nasha
Mukti Kendra Kharkhoda for respondent No. 4.

Ms. Sumanpreet Aulakh, Advocate for
respondent No. 5.

Detenue-Devender Singh and his sister Seema Devi-petitioner
in person.

Smt. Neeraj wife , Ms. Daya Pati mother , Parul minor daughter
and Yash and Manish minor sons of detenue-Devender in
person.

ARUN KUMAR TYAGI,J. (ORAL)

Prayer in the petition is for issuance of a writ, order or
direction, in the nature of Habeas Corpus for the release of detenue
Devender son of Sh. Jainarayan Malik, from illegal custody of respondent
No. 4 and directions to respondent No. 2 and 3 to protect the life and liberty
of detenue-Devender and secure his presence before this Hon'ble Court.

While issuing notice of motion respondent No.3 was directed
vide order dated 18.11.2019 to ensure the appearance of the detenue before
this Court and wife of the detenue was ordered to be impleaded as
respondent No.5.

Ms. Sumanpreet Aulakh, Advocate has appeared on behalf of respondent No. 5 and filed her power of attorney which is taken on record.

Detenue-Devender has appeared and stated that he had been illegally detained by respondent No.4-Harsh Nasha Mukti Kendra Kharkhouda w.e.f. Night of 31.05.2019 till today. He was illegally tortured during the period of detention regarding which he will take appropriate proceedings before appropriate Courts/Forums. He also stated that he wants to go with his sister Seema Devi. He has apprehension to danger of his life from his wife, father-in-law and brother-in-law. He will not extend any threat or cause any harm to his wife, children and mother.

Detenue-Devender is allowed to go with his sister Seema Devi.

Wife and mother of detenue-Devender have made serious allegations against him regarding giving of threats and beating by detenue to them and his children have also raised allegations of giving of threats by the detenue.

The detenue has denied the allegations and claimed that no complaint was made against him earlier. The detenue has stated that he will not extend any threat or cause any harm to his wife, children and mother.

Since the detenue has been released, no further action is required to be taken in the present habeas corpus petition which is disposed of accordingly.

However, the parties shall be at liberty to avail appropriate remedies available to them as per law for redressal of their grievances.

22.11.2019

Rajeev (rvs)

Whether speaking/reasoned
Whether reportable

**(ARUN KUMAR TYAGI)
JUDGE**

Yes/No
Yes/No