

138

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

CRWP-1235-2020

Date of decision-03.02.2020

Inder

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harnek Singh, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Inder has filed this petition under Article 226 of the Constitution of India for the issuance of a writ in the nature of habeas corpus for release of the alleged detenu mentioned in para 6 of the petition, who are alleged to be in the illegal custody of private respondents. It is further prayed that a warrant officer be also appointed.

Learned counsel for the petitioner contends that the persons mentioned in para 6 of the petition are in illegal detention of respondent Nos.2 and 3 who were engaged for work at the brick kiln on 15.11.2019 along with petitioner. According to the pleadings in the petition, the workers are not being paid since November, 2019. He submits that the warrant officer be appointed for release of detenu(s).

During the course of hearing, it is not disputed by learned counsel for the petitioner that the alleged detenu entered into a contract with

respondent Nos.2 and 3 for manufacturing bricks at the brick kiln. He is unable to substantiate his argument that the alleged detenu are in illegal custody of respondent Nos.2 and 3 particularly when the petitioner was also engaged by respondent Nos.2 and 3 for the said purpose. However, the petitioner is able to move freely, who has filed this petition claiming himself to be near relative/friend of the alleged detenu.

Further a perusal of the petition reveals that no complaint whatsoever was given by the petitioner before the Police or the District Magistrate and the pleadings in the petition do not inspire confidence.

Resultantly, this Court is not inclined to exercise the extraordinary writ jurisdiction under Article 226 Constitution of India.

Dismissed.

(MANOJ BAJAJ)
JUDGE

03.02.2020
vanita

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