

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-5158-2020

Date of decision: - 22.07.2020

Manojj Kr. Vishwakarma

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sanjeev Kumar Birla, Advocate,
for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

This petition has been taken for hearing through video conference due to Covid-19 pandemic.

In the present petition, petitioner is praying for issuance of a writ of Habeas Corpus for the release of Shanti, Azad, Maithu, Pawan and other detenues, which according to him, have been kept in an illegal confinement by the police.

Learned counsel appearing on behalf of the petitioner submits that the persons, whose names have been mentioned hereinbefore, were residing in Makhanlal Dharamshala, Rewari from where they have been picked up by the police and all these persons are

mentally challenged persons and therefore, the appropriate directions be issued for the release of the aforementioned persons.

Prima facie, the averments made in the present petition are vague. Nothing has been mentioned as to why the police will pick up these mentally challenged persons from Makhanlal Dharamshala, Rewari. Further, no date and time has been given when the said persons were taken by the police and how the petitioner came to know about the same.

Learned counsel for the petitioner submits that for the grievance, which has been raised in the present petition, petitioner has submitted a representation dated 15.06.2020 (Annexure P-4) to the Superintendent of Police, Rewari (respondent No.3), which is still pending consideration and petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.3 to decide the said representation by passing an appropriate speaking order in a time bound manner.

Notice of motion.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State and raises no objection for passing appropriate order on the representation of the petitioner dated 15.06.2020 (Annexure P-4) in a time bound manner by respondent No.3.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner in this petition or in the representation, respondent No.3 is directed to decide

the representation dated 15.06.2020 (Annexure P-4) by passing a speaking order within a period of 15 days from the date of receipt of copy of this order.

Present petition stands disposed of accordingly.

July 22, 2020
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No