

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

216

CRWP-1948-2019

Date of decision: 06.01.2020

Brijpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : None for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

ARUN KUMAR TYAGI, J (ORAL)

The present complaint sent by Brijpal to Hon'ble the Chief Justice of this Court was treated as habeas corpus petition.

In the complaint, Brijpal alleged that on 4/5.12.2019 at 3:30 a.m., the Incharge of CIA Chowki Sector 65 along with other 5-6 officials barged into his house by breaking open the door. They pelted stones and bricks on door by which they barged into house by breaking open lock. Thereafter, they started breaking the household articles/items. They took away the camera and DVR installed in the house. When his wife started raising voice, they misbehaved with her and also gave her beatings. They also misbehaved with his son Manjit and nephew Satish who is a practising lawyer at Faridabad Courts. They caused beatings to Manjit and Satish and took them away with them. They also threatened the family members that if they tried to make complaint in this regard anywhere, they will take away all their family members. The complainant accordingly prayed that an enquiry into the matter may be got conducted from some higher designated officer and action may be taken against guilty officials.

Vide order dated 16.12.2019, while issuing notice of motion, State of Haryana was directed to file reply.

In compliance with the above referred order, State of Haryana has filed reply by way of affidavit of Anil Kumar, HPS, Assistant Commissioner of Police, Crime, Faridabad wherein he has admitted that the police party had raided the house of Sanjeev and Sagar as Sanjeev son of the petitioner was involved in case FIR No.631 dated 02.12.2019 registered under Sections 323, 325, 342, 307, 212 and 506 read with Section 34 of the Indian Penal Code, 1860 at Police Station Sadar Ballabgarh, District Faridabad. However, he has submitted in the report that the petitioner did not join enquiry despite the information received by him. SI Lajpat, who headed the police party which raided the premises in question, specifically made statement that they had not misbehaved with the complainant or his family members/persons named and had not caused any damage to the house/goods of the petitioner. Satish-nephew of the petitioner, who was present at the time of raid, had given affidavit dated 31.12.2019 swearing that the police had not misbehaved with any person and had not caused any damage to any articles in the house of the petitioner and had not taken away the DVR.

In view of the reply and affidavit of Satish, no further action is required to be taken in the present habeas corpus petition which is disposed of accordingly.

06.01.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No