

CRWP-667-2021

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

CRWP-667-2021.

Date of Decision:-08.09.2021.

Ravi Mishra

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Sharmila Sharma, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.
(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus by way of appointment of Warrant Officer to search the premises of respondent Nos.4 to 7 and to get the alleged detainee and her minor children, who as per the petitioner, have been illegally detained and confined by the private respondents.

Notice of motion was issued in this case and a detailed status report has been submitted by way of affidavit of superintendent of Police, Nuh, District, Nuh. As per the said affidavit, it has been stated that during the course of inquiry, Head Constable Pawan Kumar had visited at village Chundhika but neither the alleged detainee, nor her children and husband were found present at their house. Respondent No.5, mother of Nafeesh and

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respondent No.7 were found present in the house, who were joined in the inquiry and they categorically stated that Rehana and Nafeesh along with their children had gone to Nepal at the parental house of Rehana and they are neither confined nor detained as alleged and that they were living at the said place happily. Further, Head Constable Pawan Kumar also contacted respondent No.6 on his mobile phone, who informed that he was presently residing in Bihar in connection with earning his livelihood and had informed that Rehana was residing in her parental house with her husband and children happily. It has further been averred that even a whatsapp video call has been made to Rehana by the Head Constable Pawan Kumar and she stated that she was living happily.

Learned counsel for the petitioner has submitted that in fact, the alleged detainee is not in illegal confinement as per her instructions and, thus, the present petition has become infructuous.

Disposed of as infructuous.

(VIKAS BAHL)
JUDGE

September 08, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No