

In the High Court of Punjab and Haryana at Chandigarh

Criminal Writ Petition No. 2058 of 2021
Date of Decision: 05.4.2021

Govind Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Aditya Partap Singh, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition under Article 226 of the Constitution of India is for issuance of a writ in the nature of habeas corpus directing the official respondents to get released the detenues, mentioned in para 2 of the petition, from the illegal, unlawful custody of the private respondents by appointing a Warrant Officer for the said purpose.

Status report by way of affidavit of Additional Superintendent of Police, Karnal, dated 15.3.2021, filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that detainee Nos. 1, 2 and 3 are the brother, father and mother of the petitioner respectively, who have been illegally detained by respondents No. 4 and 5 in their farm house No. A-1196, near Lather House, Police Station City, Karnal, Tehsil and District Karnal (Haryana).

Vide order dated 1.3.2021, respondent No. 2-Superintendent of Police, Karnal was directed to depute a Gazetted Officer for visiting the

farm house of respondents No. 4 and 5 and to make an enquiry as to whether the detenues have been illegally or forcibly detained by the said respondents.

As per the status report dated 15.3.2021, the statements of deteneues, namely, Chandi Ram and Ram Kumari, have been recorded on 3.3.2021, wherein they have specifically stated that they have not been confined by anybody and they are living in village Kehal Shikarpur, District Shamli, Uttar Pradesh. They have also stated that their son Govind Kumar (petitioner) has filed the present frivolous petition and the alleged detenue Gorav is also residing with them.

Since the alleged detenues have specifically stated that they are happily residing in their village, no case for illegal confinement is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

April 05, 2021
Gurpreet

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