

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

CRWP-5449-2021 (O&M)

Date of decision: 23.11.2021

Shyam Sunder

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Lochab, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. S.K. Yadav, Advocate for respondent No. 4.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed under Articles 226 of the Constitution for issuance of a writ in the nature of Habeas Corpus for the release of the detenue-Manish Pareek, son of the petitioner, from the illegal and unlawful custody of respondent No. 4, by appointing a warrant officer.

Learned counsel for the petitioner submits that FIR No. 432 dated 18.07.2020 was registered under Section 346 IPC, at Police Station Yamuna Nagar City, District Yamuna Nagar, by Priya-wife of detenue-Manish Pareek with regard to his missing.

He further submits that respondent No. 4 was in illicit relationship with Priya and for this reason the son of the petitioner is missing or has been eliminated.

As per the status report filed on behalf of the respondent-State, after registration of the aforesaid FIR, the SIT was formed under the supervision of Incharge, Special Detective Unit, Yamuna Nagar, all the concerned persons were joined in the investigation, but no clue has been found. Priya was suspecting on Hari Parkash, Laxman Singh, Om Parkash and Ramesh Goel. On the application of Priya before the learned Area Magistrate, a lie detector test of the above named persons was conducted on 10.06.2021 at FSL Madhuban.

Learned counsel for respondent No. 4 submits that respondent No. 4 has shown his ignorance qua the missing of Manish Pareek.

I have heard the learned counsel for the parties.

Since on the complaint of Priya, wife of Manish Pareek , FIR No. 432 dated 18.07.2020 has already been registered under Section 346 IPC, at Police Station Yamuna Nagar City, District Yamuna Nagar, no ground is made out for grant of relief to the petitioner as prayed for.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

23.11.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No