

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

113

CRWP No.7515 of 2021
Date of decision:18.08.2021

Krishna Devi and another

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Renu Dhull, Advocate for the petitioners.

Mr. Kuldeep Tiwari, Addl.A.G.Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus directing the official respondents to release the detenues, namely, Vikram son of Rajinder and Bajinder son of Risala.

In compliance of the order dated 10.08.2021, Warrant Officer has submitted his report in a sealed cover. The sealed cover is ordered to be opened and the report is taken on record. The relevant extract of the report is reproduced as under:-

“We reached at Special Detective Unit, Kaithal at 2.30 p.m.

We met incharge Mr. Sombir there and I disclosed my identity and purpose of the visit. I asked regarding the arrest of the detenues Rakesh and Vikram. He called the Munshi and asked him to bring the file of theft of transformer. After seeing the file, he said that Rakesh and Vikram have been arrested in FIR No.114 dated 03.06.2021 under Section 136 of Electricity Act, 2003, and under Section 379 IPC (Flag 'A'). He has also given a copy of arrest forms of Rakesh and Vikram (Flag 'B' & 'D' respectively). He has also provided disclosure statement of detainee Rakesh (Flag 'C'). Copy of request of extending the judicial remand of the accused has also been provided (Flag 'E').

SHO also disclosed that when police party went to arrest Vikram on 08.08.2021 at 8.20 p.m, the petitioner Smt. Krishna Devi and her son Vikram started fighting with the police party and on the complaint of Sh. Mukesh (ASI, 6), an FIR has been lodged against them bearing No.375 dated 09.08.2021 under Section 186, 222, 332, 34, 353 IPC (Flag 'F').

Munshi has written DDR No.5 dated 11.08.2021 (Flag 'G') regarding purpose of our visit and copy of the same handed over to me at 2.45 p.m alongwith copy of arrest reports and copy of FIRs etc.”

From the above, it cannot be said that the detenues are in the illegal confinement of the private respondents.

No direction is required to be issued.

The petition as such is dismissed.

(SUVIR SEHGAL)
JUDGE

August 18, 2021
savita

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>