

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 11239 of 2021
Date of Decision: 30.11.2021**

Sunita Rani

.....Petitioner

Versus

State of U.T., Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. P.K.Dwivedi, Advocate
for the petitioner.

Mr. P.S.Paul, Addl. P.P., U.T., Chandigarh
assisted by Inspector Jatinder Singh.

SURESHWAR THAKUR, J. (ORAL)

1. Mr. Nitin, as revealed by his Aadhar Card, a photocopy whereof has been placed on record, is aged about 24 years. In the petition, it is alleged that he was illegally detained and confined by the police officials concerned. Consequently, the mother of Nitin has instituted the present petition before this Court, seeking the issuance of a writ in the nature of Habeas Corpus, upon the respondents, for producing the afore Nitin before this Court.

2. Today Nitin has appeared in Court. Since the relief, as claimed in the petition, is limited only to the factum of the person of the afore Nitin, being ensured to be produced before this Court, thereupon, upon his appearance before this Court, the present petition does not survive, and, is disposed of as such.

3. However, in case of any grievance, hence relating to Nitin, being purportedly illegally detained at the police station concerned, by

either of co-respondents No. 2 and 3, thereupon liberty is reserved to the petitioner, and, to Nitin to make a motion before the Director General of Police, U.T., Chandigarh, and, upon a representation in afore regard being, made within a week hereafter, thereupon the Director General of Police, U.T., Chandigarh, shall make an enquiry thereon, and, shall through a speaking order make a decision thereon, within four weeks thereafter.

4. In case, respondents No. 2 and 3 discover some inculpable evidence of grave evidentiary vigour with respect to the involvement of the afore Nitin, in any non-bailable offences, thereupon they shall not proceed to arrest him, without issuing seven days notice upon him.

(SURESHWAR THAKUR)
JUDGE

November 30, 2021
Gurpreet

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