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

CRM-W-318-2022 IN/AND
CRWP-1882-2022

Date of decision:23.03.2022

VIKKI KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. R.P. Daaria, Advocate
for the petitioner.

Mr. Sumit Gupta, Addl. A.G. Haryana.

SURESHWAR THAKUR, J. (ORAL)

CRM-W-318-2022

The instant application has been filed for seeking permission to place on record Annexures P-2 to P-5.

For good, and, valid reasons recorded in the application, the same is allowed, subject to all just exceptions.

Main case

1. In the instant petition the petitioner claim the making of a writ of habeas corpus, upon the official respondents concerned, for hence the illegally detained detenues by the respondents No.4 to 8 becoming produced in the Court. The illegally detained detenues are mentioned in paragraph 4 of the petition.

2. In the reply filed to the petition by the official respondents, through Deputy Commissioner, Jind, it is specifically mentioned, that the alleged detenues were never kept, as bonded labour by the brick kiln owner(s) concerned, rather they have been paid their remunerations. Moreover, it is also mentioned in the reply furnished by the afore, that they have returned to their

native place, and, also the brick kiln owner(s) has arranged for theirs being transported to their native homes.

3. However, the learned counsel appearing for the petitioner argues, that tractor trolley bearing registration No.UP-10C-2720, Mahendra 265, Chassis No. NS11501, Engine No.NS11501, Model 1998 owned by Ravinder Kumar, and, one tractor Mahendra 575, bearing registration No.R510R1709, Chassis No.ED11047, Engine No.ED-11047, and, Model 1996, owned by Vikki Kumar has not been released to the detenues concerned.

4. The learned State counsel, on instructions meted to him, by the SHO of the Police Station concerned, submits that in case the owners of the purportedly illegally detained vehicles are able to produce evidence in support of theirs owning them comprised in, either validly drawn affidavits or of RCs, thereupon, the SHO concerned, shall proceed to make releases thereof qua the claimants concerned. The afore statement is not objected to, by the learned counsel appearing for the petitioner.

5. Consequently, if within a week from today, any of the claimants concerned, who claim owning the vehicles, as, kept in the police station concerned, by the SHO concerned, choose(s) to claim ownership thereof, through validly drawn affidavits or through RCs concerned, thereupon, the S.H.O. concerned, after making promptest verifications thereof may proceed to release it/them to the claimants concerned.

6. Disposed of.

7. Dasti copy.

(SURESHWAR THAKUR)
JUDGE

23.03.2022

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Whether speaking/reasoned:-

Yes/No

Whether reportable:

Yes/No