

119 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-2196-2022

Date of Decision: 10.03.2022

MEHRUNISHA

...Petitioner

Versus

THE STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Chander Shekhar Singhal, Advocate
for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana

Case heard via video-conferencing.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, filed under Article 226 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of habeas corpus for the release of detenues as mentioned in para No.4 of the petition, who are (allegedly) in the illegal detention of respondents No.4 to 6.

Learned counsel for the petitioner at the outset submits that the petitioner would be satisfied if a direction is issued to the District Magistrate, Panchkula, to get 17 persons whose names are given in paragraph 4 of the petition, released from the (alleged) custody of respondents No.4 to 6.

That being so, notice of motion is issued to respondents No.1 to 3 only at this stage.

Mr. Neeraj Poswal, A.A.G., Haryana, accepts notice on asking of the Court. A copy of the petition be e-mailed to learned State counsel today itself by counsel for the petitioner.

The petition is disposed of with a direction to respondent No.2, i.e. the District Magistrate, Panchkula, to depute the SDM concerned as has jurisdiction over the brick-kiln of which respondent No.4 is shown to be the owner, and to ensure that if the 17 persons whose names are given in paragraph 4 of the petition, are found to be in illegal custody or are being kept against their will by the said respondents, they be immediately released, with the motorcycles as have been mentioned in the same paragraph, to be also released if they stand in the names of any of those 17 persons.

If the said persons are found to have been in illegal custody of respondents No.4 to 6, obviously appropriate action would be taken by the District Magistrate/SDM in that regard.

The needful be done within a period of one week from the date of receipt of a certified copy of this order.

March 10, 2022
gurpreet

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned: Yes

Whether reportable: No