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

CRWP-2662-2022

Date of Decision: 10.11.2022

Surajpal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: None for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for the release of the detenues mentioned in Para No.3 of the writ petition from the illegal and unlawful custody of respondent Nos.4 to 6.

Nobody has caused appearance on behalf of the petitioner and rather for the last three dates nobody had appeared on behalf of the petitioner.

Notice of motion was issued in this case on 24.03.2022 and the matter was adjourned from time to time for awaiting the report of the State but after the issuance of notice of motion, nobody had appeared on behalf of the petitioner. The status report has now been filed by the State which is taken on record.

In view of the aforesaid position, when the learned counsel for the petitioner is not repeatedly appearing, this Court would, therefore,

proceed with the case on the basis of the averments made in the petition and the reply filed by the State and with the assistance of the learned Assistant Advocate General, Punjab.

The allegations in the present petition were that the detenues as mentioned in Para No.3 of the petition has been illegally detained by respondent Nos.4 to 6 at a brick kiln.

However, learned State counsel has referred to the affidavit which has been filed by the State and has submitted that on the spot inquiry was conducted and no person was illegally detained or confined. Out of the total number of persons mentioned in Para 3 of the petition only 5 persons were found there and there was neither any boundary wall nor any barbed wire installed around brick kiln and it cannot be said that they have been illegally detained. He further referred to Para 8 of the affidavit and has submitted that the persons found there have been sent to their native places along with their belongings.

In view of the aforesaid factual position, nothing survives in the present petition and the same is, hereby, dismissed.

10.11.2022

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |