

CRWP No.8084 of 2022

124

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.8084 of 2022

Date of Decision:24.08.2022

Amandeep Kamboj

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Rana Ghuman, Advocate for the petitioner.

Ms. Shubhra Singh, Addl. AG, Haryana.

ANOOP CHITKARA, J.

Seeking release of the alleged detenu, the petitioner has come up before this Court under Article 226 of the Constitution of India.

Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

The allegations regarding illegal detention are stated in paragraphs no. 4 & 5 of the petition and prima facie, point towards some restrain.

The Investigator is directed to produce the detenue namely Simran before the concerned Judicial Magistrate. The concerned Judicial Magistrate shall interact with her and it is the concerned Magistrate's discretion whether to record her statement under Section 164 Cr.P.C , whether she wants to reside with her parents or wants to go with the petitioner and accordingly proceed further.

This petition is closed with the directions mentioned above, which are to be complied with on a priority. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the alleged detenue is required in any cognizable case. It shall also be open for the petitioner to approach this Court again for any surviving or consequent grievances.

There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can

CRWP No.8084 of 2022

also verify its authenticity and may download and use the downloaded copy for immediate use.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

24.08.2022
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Whether speaking/reasoned: Yes
Whether reportable: **No.**