

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

259

CRWP-9563-2020 (O & M)
Date of Decision: 25.07.2022

NASEEM

.....PETITIONER

Versus

STATE OF HARYANA AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Saurav Bhatia, Advocate
for the petitioner.

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

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner alleged that his brother Nakib was unlawfully, and, illegally detained on 12.11.2020, by the CIA Staff, Nuh, but the above made contentions becomes completely frail, as in paragraph 5 of the reply, on affidavit, furnished by the Superintendent of Police, Nuh, a narrative is carried that the petitioner's brother one Nakib was arrested on 17.11.2020 at 1.30 PM, in case FIR No.179/2020, registered at Police Station Nagina, wherein offences constituted under Sections 379-A, 420 IPC, are carried.

2. Moreover, it is also revealed in paragraph 5 of the reply, that a warrant officer along with the petitioner reached at Police Station Nagina,

and, recorded a DD report in daily dairy register, entry report drawn vide report No. 13 dated 18.11.2020 at 12.30 P.M., thereins echoings occur, that one Mr. Nakib being directed to accompany the police official for his production before the court. A copy of the said DD report is appended as Annexure R-10. Therefore, it has been spelt in paragraph 5, that at the relevant time, one Nakib was in legal custody.

3. Consequently, the above prayer made in the petition, for a writ of habeas corpus being made in respect of the brother of the petitioner, namely, Nakib rather is devoid of any merit, and, is dismissed as such.

4. Since the main case itself has been decided, hence, all the pending application(s), if any, also stand(s) disposed of.

(SURESHWAR THAKUR)
JUDGE

25.07.2022
kavneet singh

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