

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

Sr. No. 242

CRWP-8255-2022

Date of decision : 7.9.2022

Ankut Kumar i

.....Petitioner(s)

VERSUS

State of Haryana and others

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.Anand Vardhan Khanna, Advocate for the petitioner

Mr.Gaurav Bansal, AAG, Haryana

AMAN CHAUDHARY, J.

The present criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus directing respondent No.3 to get released detainee Mr.Pawan Narula s/o Prem Parkash Narula, who has been illegally and forcibly taken in custody by unknown police personnel acting at the behest of respondent No.2. The petition is supported by a duly sworn affidavit of the petitioner.

Pursuant to order dated 27.8.2022, issuing notice of motion, Warrant Officer, who was appointed, submitted his report dated 5.9.2022 alongwith the statement of the detainee in vernacular, which is taken on record. The relevant part of the said report reads as under:-

"I alongwith the party concerned i.e. Ankit and Radhika Matta (i.e. Relatives of the detainee -Pawan Narula) reached at Police Station CIA Staff-I, Sector 10, Ambala City at 4.30 pm on 27.8.2022. The very first movement, we entered the police station, the petitioner Ankit told me that Pawan Narula was

standing in the police station premises (in the lawn). SHO Harjinder Singh and MHC Jagtar Singh (244) were present there in the police station. I enquired about Sh.Pawan Narula and MHC Jagtar Singh (244) told me that Pawan Narula was called in the police station on 26.08.2022 and 27.08.2022, in connection with FIR no.220/2022 under Sections 302/306/ 34 IPC registered at Police Station Sadar Ambala. SI Naresh Kumar also called from police station Sadar Ambala where the aforesaid FIR was lodged. He came there alongwith the files and stated that as per FIR, 6 persons have been died in this case. Balkishan Thakur and Kavi Narula are main accused in the FIR and their name is also in the suicide note of Sukhvinder Singh. As such, on account of aforesaid FIR Balkishan Thakur has been arrested and the second one Kavi Narula is still absconding. He further stated that the investigation which has been completed till now, there is no evidence came against Pawan Narula. He was called to join the investigation and after investigation he is free.

At the end, MHC Jagtar Singh, CIA-I, Ambala has handed over me two DDRs bearing no.8 and 9 dated 27.08.2022.

As per DDRs, it transpired that Pawan Narula was not detained by the police in the lock-up, however, he was therein the police premises. He was called to join the investigation on 26.08.2022 and 27.08.2022 in connection with FIR No. 220/2022 registered against his real brother Kavi Narula, who is absconded. After investigation, neither any evidence has been found against Pawan Narula nor any FIR registered against him, as stated by the concerned police officials.

Thereafter, I alongwith Pawan Narula, Ankit and Radhika Matta left the police station about 7.00 pm. Pawan Narula went with his some relatives and Ankit and Radhika

Matta they dropped me at my residence and went their own.

Submitted for kind persual

Sd/-

*(Surinder Singh)
Warrant Officer”*

In view of the above, learned counsel for the petitioner states that, since the detenue has been released, the present petition has been rendered infructuous.

Accordingly, no order is required to be passed and the present petition stands disposed of as having been rendered infructuous.

7.9.2022
gsv

(AMAN CHAUDHARY)
JUDGE

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