

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

108+225

**CRWP-12407-2021 (O&M)
Decided on : 02.02.2022**

Ilyas

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
(Through Video Conferencing)**

PRESENT: Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (Oral)

CRM-W-97-2022

For the reasons mentioned in the application, same is allowed
and Annexure P-2 to P-6 are taken on record.

Main Case

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 for release of the alleged detainees whose
particulars have been detailed in the headnote of the petition.

Learned State counsel has submitted that the detainees as
mentioned in the headnote of the petition have been released.

Learned counsel for the petitioner has submitted that
although the said detainees have been released but FIR No. 599 dated
31.12.2021 was got registered by the petitioner against the private

respondents No. 5 to 8 and the statements of the detenues under Section 161 Cr.P.C. are required to be recorded in the said FIR.

In view of the fact that the detenues have been released, the present petition stands rendered infructuous.

In view of the dictum of the Hon'ble supreme Court in *Sakiri Vasu Vs. State of U.P. and others, reported as 2008(2) SCC 409* and in *M. Subramaniam and another Vs. S. Janaki and another, Criminal Appeal No.102 of 2011, decided on 20.03.2020*, in case the petitioner is aggrieved with the fact that the FIR No. 599 dated 31.12.2021 is not being investigated in accordance with law, it would be open to the petitioner to move an appropriate application before the Magistrate in accordance with the abovesaid dictum of law.

With the aforesaid observations, the present petition is disposed of as having been rendered infructuous.

All the pending miscellaneous applications, if any, stand disposed of, in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

February 2nd, 2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No