

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

**204**

**CRWP-1014-2019 (O&M)**

**Date of Decision: 14 November, 2022**

Mahender Singh

...Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT**

Present : Mr. Virender Singh Punia, Advocate  
for the petitioner.

Mr. Rajender Kumar, DAG, Haryana.

**N.S.SHEKHAWAT, J. (Oral)**

The petitioner has filed the instant petition before this Court with a prayer to direct the respondents No. 1 to 3 to ensure the release of the *detenu* Ritu from the alleged illegal custody of respondent No. 5.

Vide order dated 30.10.2019, notice was issued to the respondents. In response to the notice issued by the Court, various status reports have been filed by the police before this Court.

As per the status report dated 21.10.2022, which was submitted by the Deputy Superintendent of Police, Headquarters, Kaithal, the matter has been investigated thoroughly and during the course of investigation, the Investigating Officer alongwith lady constable reached the place of occurrence and has recorded the

statements of the witnesses. It is further submitted that after seeking permission from the Court of learned Judicial Magistrate 1<sup>st</sup> Class, Kaithal, the polygraph test was also conducted on the suspects, namely, Sunil Kumar, Ramneek, Omkar Singh and Narvair Singh on 29.01.2021, but no involvement of the said suspects was found in the above mentioned incident. The polygraph examination report has also been annexed with the petition as Annexure R-1.

Learned counsel for the State submits that various persons have been joined in the investigation of the case and have been interrogated extensively but the missing girl could not be traced despite much efforts. Learned State counsel further submits that even the petitioner was joined in the investigation of the present case on 26.04.2022 and he submitted that he did not suspect anyone of detaining his daughter and was fully satisfied with the investigation of the police.

However, learned counsel for the petitioner submits that he is a rustic villager and his signatures have been obtained by the police fraudulently.

Be that as it may, the petitioner has filed the instant petition with a prayer to issue writ in the nature of *habeas corpus* to ensure the release of the *detenu* from the illegal custody of the respondent no. 5 and she was not found in the illegal custody respondent No. 5. As such, no further directions are required to be

passed in the case. However, the petitioner is at liberty to avail his alternative remedies, if any, available under law.

With these observations, the petition is disposed of.

**14 November, 2022**  
amit rana

**(N.S.SHEKHAWAT)**  
**JUDGE**

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