

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRWP-2541-2022 (O&M)

Decided on : 12.01.2023

Sandeep

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None for the petitioner(s).

Mr. Pawan K. Jhanda, AAG, Haryana.

Mr. Naveen Sharma, Advocate
for respondent No.4.

Mr. Rakesh Gupta, Advocate
for respondent No.5.

SANJAY VASHISTH, J. (Oral)

CRM-W-413-2022

In this application, counsel appearing on behalf of the applicant, who is not even a party in the present petition, seeks withdrawal of the present application.

Dismissed as withdrawn.

CRWP-2541-2022

Prayer in present petition was only to get release of the detainee 'Rakesh', who was allegedly in the illegal custody of respondent No.5.

For getting release of detainee 'Rakesh', vide order dated 21.03.2022, warrant officer was appointed by this Court, and in compliance thereto, report dated 25.03.2022 has been submitted before this Court in a sealed cover, which is taken on record, subject to all just exceptions. Office

to tag the same at appropriate place in the case file.

Said report has been opened and perused in Court today. Along with said report, a hand written statement in original, of alleged detainee 'Rakesh' is also available. Translated version of the said statement is reproduced as under:-

"Myself Rakesh Kumar, age 35, s/o Sh. Jagdish Parshad, r/o Aggarwal Colony, Fatehabad, am making the statement that for the last 03 months and 10 days with the conspiracy by my brother-in-law (sala), uncle and others, I have been confined illegally. Here I have danger to my life. I, be set free from here at the earliest. I do not want to live here, and I want to go with my friend Sandeep. Sd/- 21/3/2022."

Besides above, the relevant extracted part of the aforesaid report dated 25.03.2022, is reproduced as under:-

"xx xxx xx xxx

Then, one of the employees of the centre was asked to bring alleged detainee-Rakesh s/o Jagidsh, Rakesh was brought in the office, on asking by the undersigned Rakesh told that he was living in a live-in relationship that's why his uncle (Chacha), wife and brother-in-laws got him admitted there about three months ago, but he has never been a drug addict.

Therefore, he was asked to pen down his statement which he recorded in his own handwriting in hindi which is appended with this report, however, in the report he did not mention that he was living in live in relationship.

Then, Rakesh son of Jagdish told that his belongings as

well as two gold rings are with Rehabilitation Centre, again the Director - Harpreet Singh was contacted telephonically and asked about belongings and gold rings to which he asked his employee to give his belongings which were brought, and about two gold rings he said that he will give the same on his reaching the rehabilitation centre, or at any place desired by Rakesh, as the same being costly items was not kept at the centre and he has to move out of the centre for work.

Therefore, alleged detenue-Rakesh along with the petitioner left the place in a taxi bearing no.HR-39E-3205.”

In view thereof, there is nothing left in the present petition to decide. Moreover, there is no representation on the part of the petitioner also.

Accordingly, as per the facts & circumstances mentioned herein-above, and keeping in view the report dated 25.03.2022, submitted by Warrant Officer, present petition stands disposed of, as no cause of action is survived further.

(SANJAY VASHISTH)
JUDGE

January 12, 2023

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No