

2023:PHHC:074490

CRWP No.4939 of 2023
Date of Decision: May 22, 2023

...Petitioner

...Respondents

Mr. P.S. Pandher, AAG, Punjab.

On 19.05.2023, the following order was passed by this

It is contended that Rampal was working as a Driver with one Girish Verma, who is Ex.E.O. of M.C. Officer, Zirakpur. Later on said Girish Verma was arrested by the Vigilance Department in a corruption case and detenues have been illegally kept in confinement by respondent No.5 to 7.

Notice of motion for 22.05.2023.

Mr. Parneet Singh Pandher, AAG, Punjab accepts notice on behalf of respondent Nos.1 to 4-State. Copy of the paper book be supplied to him during the course of day.

Let status report on behalf of respondent Nos.1 to 4-State be filed.”

Today, short reply by way of affidavit of Shri Bikramjit Singh Brar, Deputy Superintendent of Police, Sub Division Zirakpur, District SAS Nagar, Mohali has been filed on behalf of respondents No.1 to 3, as per which, petitioner along with his advocate came to Police Station Zirakpur, for compliance of the order dated 19.05.2023 passed by this Court. The Police party along with the local police of Panchkula, went to House No.431, Sector 12, Panchkula, where alleged detainee Aarti came out and opened the door. Another alleged detainee Rampal was also seen standing in front of court yard. No other person was present inside the house. After meeting both of them, it was found that both of them were residing independently in a room by the side of the said house without any pressure. After being apprised about the purpose of the Police visit, they replied that no one was residing in that house except one old lady Krishna Kapoor and that none of them had been illegally detained. It was further disclosed by them that Rampal was working as a driver and also looks after the pet dog. After some time, Smt. Krishna Kapoor aged 80-85 years, mother of owner Girish Verma, came there and she also replied that nobody was detained there.

Both the alleged detainees Aarti and Rampal were brought to Police Chowki, Sector 02, Panchkula and then the Police Station Zirakpur where their statements were recorded and they were handed over to petitioner and then they left for their place. It has been concluded

that none of the alleged detainees had been illegally detained and rather they were freely residing in the house being the driver and his wife in a room by the side of the house.

The reply is accompanied by a Pen-drive containing the recording of the entire proceedings conducted by the Police and the copies of the statements made by Aarti and Rampal.

Separate reply by way of affidavit of Shri Barinder Gill, Deputy Superintendent of Police, Vigilance Bureau, Flying Squad-I, Mohali has been filed on behalf of respondent No.4, as per which case FIR No.18 dated 12.10.2022 under Section 13(1)(b) read with 13(2) of the Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act, 2018 and offence under Sections 420, 465, 467, 468, 471 and 120B IPC were registered at Police Station Vigilance Bureau, Flying Squad-1, Punjab at Mohali, against Girish Verma and others. However, as far as the present petition is concerned, neither Rampal nor Aarti i.e. son and daughter-in-law of the petitioner Ajmer have been detained nor they are wanted in the case registered at Police Station Vigilance Bureau, Flying Squad-1, Punjab at Mohali.

Power of Attorney has been filed on behalf of respondents No.5 and 6.

Learned counsel for the petitioner seeks time to file rejoinder by submitting that Aarti and Rampal were illegally detained.

Learned counsel for the petitioner submits that both the detainees Rampal and Arti are today present in the Court, who were harassed during confinement and, therefore, she wants to file rejoinder to

the reply.

After hearing counsel for all the sides, this Court finds no justification to grant any adjournment to file rejoinder. Since the alleged detenues Rampal and Aarti were not found in any illegal confinement and they are today even present in the Court, in case they have been harassed in any manner whatsoever in the alleged confinement by any of the respondents, they will be at liberty to seek their remedy available under law. As far as this petition is concerned, no other relief is warranted.

Disposed of.

May 22, 2023
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(DEEPAK GUPTA)
JUDGE

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