

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

240

CRM-W-544-2023 in/and
CRWP-8560-2022

Decided on : May 10, 2023

SONU KUMAR

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Karan Bhardwaj, Advocate
for the applicant-petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana.

NAMIT KUMAR, J. (Oral)

By way of filing the instant criminal writ petition under Article 226/227 of the Constitution of India, the petitioner has approached this Court seeking issuance of directions to the official respondents to produce detainee (Kanta), alleging that she is in illegal detention of respondent no.7 after being kidnapping with the aid of respondent nos.8 to 13 from Jind on 31.08.2022 and there is apprehension of threat to the life and liberty of aforesaid detainee (Kanta) with further prayer to appoint a Warrant Officer to ensure her release from alleged illegal detention and produce her in this Court.

Main case is pending for 06.07.2023 and with the consent of learned counsel for the parties, the same is taken on board.

The facts emanating from the present petition are that vide order dated 04.09.2022 passed by this Court, Warrant Officer was appointed to visit the residence of respondent no.7, who submitted his report, and this Court vide subsequent order dated 12.09.2022 directed respondent nos.2 and 3 to protect the life and liberty of detainee – Kanta and her daughter Yanshu and were sent to Safe House at Hisar.

Thereafter, an application (CRM-W-544-2023) under Section 482 Code of Criminal Procedure, 1973 was filed seeking directions to release detainee - Kanta and her daughter- Yashu from “Safe House – Hisar”

and provide them security alleging that the staff/police officials of the safe house are creating compelling circumstances upon them to leave the said safe house by denying them even two square meals. Upon notice in the said application on 01.05.2023, directions were issued to the Deputy Superintendent of Police (H.Q.), Hisar to produce detenue- Kanta and her daughter in the Court and upon moving a subsequent application i.e. CRM-W-644-2023, the directions were also issued vide order dated 08.05.2023 to produce the petitioner-Sonu as well in this Court.

In compliance to the order dated 08.05.2023 of this Court, the detenue (Kanta); her daughter (Yanshu) and the petitioner (Sonu Kumar) have been produced in the Court by Mr. Ashok Kumar, Deputy Superintendent of Police (H.Q.), Hisar, who is also present in the Court.

Reply by way of affidavit dated 06.05.2023 of Mr. Ashok Kumar, Deputy Superintendent of Police (H.Q.), Hisar, on behalf of the respondent-State has been filed by the learned State counsel in Court today and the same is taken on record and copy thereof has been supplied to learned counsel for the petitioner. In para no.7 of the reply, it has been averred as under:-

“ 7. That as far as providing security outside the safe house is concerned; the same can be provided in view of the threat to the couple within the jurisdiction of Hisar Police District. ”

Since, the petitioner, detenue- Kanta and her daughter Yanshu are being provided security by the Hisar Police to protect their life and liberty at Hisar, therefore, no further action survives in the present petition.

Let the petitioner, detenue - Kanta and her daughter - Yanshu be released from the safe house within a period of one week and their life and liberty be protected by Hisar Police at Hisar.

Disposed of accordingly.

All pending application(s), if any, shall stand disposed of.

May 10, 2023

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(NAMIT KUMAR)
JUDGE

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