IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

218

CRWP-12039-2022 (O&M)
Date of decision: 24.02.2023

SANTOSH AND OTHERS

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

*****

Present : None for the petitioners.

Ms. Aditi Girdhar, AAG Haryana.

Mr. Sanjay Jain, Advocate
for respondent Nos.4 to 6.

*****

AMAN CHAUDHARY. J.

Present petition has been filed under Article 226 of the Constitution of India for issuance of writ of Habeas Corpus directing respondent Nos.1 to 3 to release the detenue namely Ram Devi, who is in illegal custody of respondent Nos.4 to 6.

Learned State counsel submits that though learned counsel for the petitioner on the last date of hearing had submitted that petitioners be permitted to meet their mother Ram Devi for which she had made a statement that the concerned SHO can be contacted, however, on instructions it is submitted that no one had contacted the SHO for the aforesaid purpose. She made a reference to the statement of Smt. Ram Devi, mother of petitioners and respondent Nos.4 to 6, R-1 appended with reply dated 07.02.2023, which reads thus:-

> "Stated that she is the residence of above mentioned address and serving in Nagar Nigam Ambala City as a Sweeper and

SANDAL SHARMA
2023.03.02 15:57
I attest to the accuracy and
authenticity of this order/judgment

that her husband died in year 1998, she has 04 sons and 03 daughters and that all are married and that all they are staying separately with their family members. She at her own will is staying since many years with her son Surender Kumar, who is also working in Nagar Nigam and that whenever she feels, she at her own will used to go to her other children for some time and that no one has forcible detained her and that she is staying with her son with her own consent and that her other son namely Ashok Kumar and daughter Asha Rani, Usha Rani and Santosh have made false accusation against her son Surender Kumar. She has made her statement with her own consent in presence of the neighbors, which is correct and that in the house she leaves is in her name."

In view of the aforesaid, the present petition is rendered infructuous.

Disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

February 24, 2023
S.Sharma(syr)

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

SANDAL SHARMA
2023.03.02 15:57
I attest to the accuracy and
authenticity of this order/judgment