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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP No. 220 of 2024
Date of decision:- 15.01.2024

KIRANPAL ... Petitioner

Versus

STATE OF HARYANA AND OTHERS ... Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- None for the petitioner.
Mr. Vishal Malik, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

Report of the Warrant Officer dated 15.01.2024 has been received in a sealed cover. Report opened and taken on record.

2. The instant petition under Article 226 of the Constitution of India, is for the issuance of a writ in the nature of habeas corpus, for the release of the alleged detainees from the illegal custody of respondent Nos. 4 and 5.

3. During the course of the proceedings following order was passed on 09.01.2024:-

“ This petition under Article 226 of the Constitution of India, is for the issuance of a writ in the nature of habeas corpus, for the release of alleged detainees from the illegal custody of respondent Nos. 4 and 5.

Learned counsel contends that the alleged detainees, whose names are mentioned in Para No.4 of the petition, are in the illegal custody of respondent Nos. 4 and 5, at Dhillu Water Company situated at Village

Pharmana, Tehsil Kharkhoda, District Sonapat, Haryana. It is further contended that there is apprehension to their lives, at the hands of respondent Nos. 4 and 5.

Notice of motion for 15.01.2024 to respondent Nos.1 to 3 only.

In this view of the matter, a situation has arisen to appoint a Warrant Officer, who shall search the whereabouts of the alleged detenus, at the aforesaid address, and if, they are found in illegal custody of respondent Nos. 4 and 5, they be got released forthwith. The Warrant Officer may seek assistance of local police-respondent No.3. The fee of the Warrant Officer shall be determined by the Registry as per the Rules and borne by the petitioner.

The specific report of the Warrant Officer be also placed on record before the next date of hearing.”

4. In compliance of the above said orders, report has been received from the Warrant Officer in a sealed cover. As per report, the alleged detenus were not found at the place apprehended by the petitioner, however they were found present in the house of the petitioner.
5. Learned State counsel, on instructions from the SHO concerned has verified this fact and submits that the detenus were not kept at the place apprehended by the petitioner but were found in the house of the petitioner.
6. Today, none has put in appearance on behalf of the petitioner.
7. Keeping in view the report dated 15.01.2024 of Warrant Officer no further action is required at this stage.
8. The petition is disposed of having been rendered infructuous.

(SANJIV BERRY)
JUDGE

15.01.2024

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No