

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRWP-1484-2024
Date of Decision: 16.2.2024

Mohammad Fiyaz

....Petitioner

VERSUS

Punjab and Haryana High Court, Chandigarh and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Shivansh Malik, Advocate,
for the petitioner.
Mr. Rajeev Anand, Advocate, for respondent No.1.
Mr. Viney Phogat, DAG, Haryana.

KARAMJIT SINGH, J.

Report is received from the Court of District & Sessions Judge, Rohtak in compliance of previous order dated 14.2.2024 passed by this Court.

2. As per the said report, detenue-Aas Mohammad, who was earlier on bail, was sent to custody by the learned trial Court vide order dated 12.2.2024, in an abrupt manner without cancelling his bail bonds/surety bonds. The said order is not sustainable being not passed in accordance with law and this amounted to illegal detention of Aas Mohammad son of the petitioner.

3. In view of above, Aas Mohammad son of the petitioner, who is presently detained in District Jail, Rohtak, is hereby directed to be released from the custody, immediately in case he is not required by the police in any other criminal case.

4. Present petition is disposed of in the aforesaid terms.

5. However, in the given circumstances, Presiding Officer of the Court, which passed the aforesaid order dated 12.2.2024, is directed to furnish its explanation as to under which provisions of law, such an order was passed whereby the accused person, who was on bail, was sent to custody without cancelling his bail bonds/surety bonds. Said explanation is to be called by the Registry of this Court by 18.3.2024.

(KARAMJIT SINGH)
JUDGE

February 16, 2024
Paritosh Kumar

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