

[257] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-3665-2024
Date of Decision : 30.04.2024

Sushil Gurjar ...Petitioner
versus
State of Haryana and othersRespondents

Coram : **HON’BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Ajay Kumar, Advocate for the petitioner.
Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J. (ORAL)

[1] On 23.04.2024, the following order was passed:-

- “ The present petition has been filed seeking a writ in the nature of Habeas Corpus for release of detenue, namely, Jabar Singh @ Babbal son of Raj Singh, who is stated to be in illegal custody of respondents No.3 and 4, i.e. SHO, and, S.I. Rajesh-CIA 2, Police Station Bahadurgarh, District Jhajjar.
2. The learned counsel for the petitioner, while referring to Para No.2 of the petition, has stated that the aforesaid police officials have been harassing the alleged detenue and now from 20.04.2024, the alleged detenue is in illegal custody of respondents No.3 and 4, i.e. SHO, and, S.I. Rajesh-CIA 2, Police Station Bahadurgarh, District Jhajjar.
3. Notice of motion for 30.04.2024.
4. In the meantime, the Registry is directed to appoint Warrant Officer, who shall search for the alleged detenue at the address of respondents No.3 and 4, as mentioned in the present petition or at any other place as pointed out by the petitioner and in case, the alleged detenue is found to be in the illegal custody of respondents No.3 and 4, he be got released. The fee

of the Warrant Officer shall be determined by the Registry as per the relevant Rules and the same shall be borne by the petitioner.

5. Report of the Warrant Officer be awaited for the date fixed. ”

[2] In compliance to the order (supra), the Warrant Officer conducted raid in the places mentioned by the petitioner including the Police Station, Hafizpur, and the CIA Office. However, the detainee was not found there.

[3] Learned counsel for the petitioner submits that in fact, the detainee was released prior to the raid conducted by the Warrant Officer.

[4] The report of the Warrant Officer is taken on record as well as the reply filed by the State.

[5] Since the detainee was not found in illegal detention, no further order is required. The instant criminal writ petition is ordered to be **dismissed.**

(KULDEEP TIWARI)
JUDGE

30.04.2024
'R. Sharma'

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