



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRWP-6487-2024 (O&M)  
Date of order: 10.07.2024

Asgar  
... Petitioner(s)  
Versus  
State of Haryana & others  
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Afjal Hussain, Advocate  
for the petitioner(s).  
  
Mr. Vikrant Pamboo, Sr. DAG, Haryana.  
  
Mr. Nasir Jamal, Advocate  
for respondents no.4 to 9.  
\*\*\*

**ANOOP CHITKARA, J.**

- Seeking production of his son before this Court, the petitioner, who is father of alleged detainee, has come up before this Court by filing a criminal writ petition in the nature of *habeas corpus* under Article 226/227 of the Constitution of India.
2. The petitioner has alleged that his son Afjal and one girl Sadima are absconding since 19.4.2024, regarding which, an FIR was also registered. Despite registration of the FIR of missing, police is not making any efforts to trace out the detainee.
3. Counsel for respondents no.4 to 9 states, on instructions, that the couple had voluntarily married and are not residing with them. Even they are not aware of their whereabouts. As far as the allegations levelled in para no.7 of the petition are concerned, the same are totally false.
4. Given the nature of order this Court proposes to pass, no response is required from the respondents.
5. Let the State trace out the couple i.e. son of the petitioner namely Afjal and Sadima and produce them before the nearest Judicial Magistrate, who shall interact with them and record their statements and in case they are found to be in illegal detention of private respondents, they be set free immediately and appropriate action



be taken in accordance with law. It is further directed that at the time of recording statements of alleged detainee Afjal and Sadima, the investigator shall try to inform the petitioner or his counsel as well as father of Sadima, to remain present at that time.

**6. The petition is disposed of with the observations mentioned above.**

*There would be no need for a certified copy of this order for furnishing bonds, and any Advocate for the Convict can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

**(ANOOP CHITKARA)**  
**JUDGE**

July 10, 2024  
AK

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