

2024:PHHC:095856



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRWP-7236-2024 (O&M)
Date of decision: 29.07.2024

Sube Singh **...Petitioner**

Versus

State of Haryana and others **...Respondents**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Bhanu Pratap, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. This petition, filed under Article 226 of the Constitution of India read with Section 528 of Bhartiya Nagrik Surksha Sanhita, 2023, was presented around 01:6 AM on 27.06.2024 seeking issuance of a writ in the nature of Habeas Corpus for immediate release of the alleged detainee from the custody of respondent No. 3. Vide order of the said date, while issuing notice of motion, a Warrant Officer was appointed with a direction to visit the place(s) as indicated by the petitioner and get the alleged detainee released from the custody of respondent No. 3, if he is found in illegal custody.
2. The matter has been taken up today again. The Warrant Officer has submitted his report in a sealed envelope, a perusal of which reveals that he has visited CIA-II/Special Detective Unit, Karnal along with the petitioner around 07:30 AM on 27.07.2024 and the alleged detainee was not found there. SI Manoj Kumar, who was present there, apprised the Warrant Officer that no

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case or complaint is pending against detenue Kamal in CIA-II, Karnal till date.

3. Reply on behalf of the respondent-State has also been filed today. A perusal of the reply shows that the petitioner was arrayed as an accused and was informed to join investigation in case FIR No. 304 dated 03.05.2022, registered under Sections 406, 409, 420, 467, 468, 471, 120-B of IPC and Sections 7, 13 of the Prevention of Corruption Act, 1988 at Police Station 32-33 Karnal and after following the proper procedure as laid down in law, he was arrested in the aforesaid case. On 26.07.2024, he was presented before the trial Court and was sent to judicial custody till 02.08.2024, vide order dated 26.07.2024.

4. In view of the position explained above, the present petition is dismissed being devoid of any merit.

29.07.2024

Waseem Ansari

(MANISHA BATRA)

JUDGE

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