



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.229

CRWP-9456-2024

Date of decision : 27.09.2024

HARISH KUMAR

..... Petitioner

VERSUS

STATE OF PUNJAB AND ORS

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Jatin Bansal, Advocate and
Ms. Keerti Sandhu, Advocate for the petitioner.

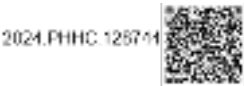
Mr. Randhir Singh Thind, DAG, Punjab.

KIRTI SINGH, J. (Oral)

By way of instant petition, petitioner has approached this Court, under Article 226 of the Constitution of India, for issuance of writ in the nature of habeas corpus for seeking directions to respondents to produce petitioner's father namely Vijay Kumar and the workers namely Sabbi, Kala Mistri, Raju Mistri, Laal and others with immediate effect and to appoint a warrant officer to get the alleged detenues released from the illegal custody of respondent No.5.

2. In compliance to order dated 26.09.2024, an affidavit dated 26.09.2024 has been filed by learned State counsel, in Court today, which is taken on record. A copy thereof has been handed over to the counsel for the petitioner.

3. Learned State counsel while referring to Paragraphs No.4 to 7 of said affidavit submits that a complaint dated 25.09.2024 was received by the Police from complainant-Amampreet Singh to the effect that Vijay



Kumar and others, were violating the order dated 24.09.2024 passed by this Court in CRWP-6232-2024. The police party reached at the spot and the above said alleged detenues started creating nuisance and disturbing public peace, and further made an attempt to gather the crowd. Police party after analyzing the situation lodged DDR No. 18 dated 25.09.2024 to this effect and after taking the alleged detenues in custody, a Kalandra was filed under Section 126 read with 170 of Bharatiya Nagarik Suraksha Sanhita, 2023. He further submits that the alleged detenues were produced before the ADCP (Operation and Security), Jalandhar and the said persons were sent to 03 days custody.

4. In view of the averments, reproduced hereinabove, it is apparently clear that all the alleged detenues were taken into custody vide DDR No. 18 dated 25.09.2024, under Sections 126 read with 170 of BNSS and they were later produced before learned Additional Deputy Commissioner of Police (Operation and Security), Jalandhar.

5. Accordingly, this petition is disposed of as having been rendered infructuous, however, it is made clear that the petitioner as well as the alleged detenues are at liberty to take all possible legal remedies, available to them in accordance to law.

(KIRTI SINGH)
JUDGE

27.09.2024
Kavita

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