

2024:PHHC:136858



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

109+216

CRWP-9504-2024 (O&M)
Date of decision: 19.10.2024

Duj Puri

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. G. S. Brar, Advocate
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Article 226 of the Constitution of India, is for issuing a writ in the nature of Habeas Corpus for the release of the alleged detenues, namely Bhagwan Puri and Ramesh Bhandari, who have been illegally detained by the private respondents.
2. While issuing notice of motion on 27.09.2024, respondent No. 3-SHO, Police Station Nighdu, District Karnal was directed to produce the above named detenues before this Court on the next date of hearing.
3. Thereafter, the case was taken up on 01.10.2024 and the following order was passed by this Court:

“Learned State counsel, on instruction from SHO, Ramesh Chander, Police Station Nighdu, District Karnal, submits that the detenues, namely, Bhagwan Puri and Ramesh Bhandari were not found at the given address and from the enquiries made by

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him, he has come to know that Bhagwan Puri had gone to Village Bohli to meet someone, whereas the whereabouts of detainee no.2, Ramesh Bhandari are not known. It is also submitted that the petitioner was also not found present at Mandir Ek Onkar Tirath, Village Bir Badalwa, Sub Tehsil Nigdhu, District Karnal.

A detailed report be filed by the respondents/State before the next date of hearing with an advance copy to the counsel opposite.

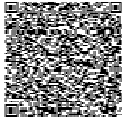
Adjourned to 19.10.2024.

In the meanwhile, respondent no.3 shall make further efforts to trace the detainees and produce them before this Court on the next date of hearing.”

4. Today, status report has been filed by the respondent-State, which is taken on record. It is submitted therein and learned State counsel has argued that alleged detainee Bhagwan Puri was found in Baba Raj Puri Mandir in village Fuliya Kalan, District Jind. His statement was recorded, wherein he stated that he was not illegally detained by anyone and was staying in the said temple on his own free will. With regard to detainee Ramesh Bhandari, he stated that a week before 26.09.2024, the petitioner had sent Ramesh Bhandari to stay in Dera and to cook food, who left Dera on his own after staying there for a day or two and he was not aware of his current whereabouts.

5. In view of the above, it cannot be stated that the alleged detainees were illegally detained by anyone. Hence, the present petition is disposed of as no further orders are called for in the matter. Bhagwan Puri would be at liberty to stay at the place of his own choice.

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6. Pending application, if any, shall also be treated as disposed of.

19.10.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>