



CRWP No.11572 of 2024

-1-

151

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRWP No.11572 of 2024****Date of Decision: 28.11.2024**

Neeraj Kumar

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**Present:** Mr. Chandra Shekhar Singh, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Sr. DAG, Haryana.

ANOOP CHITKARA, J.

Seeking release of the alleged detainee, the petitioner has come up before this Court under Article 226 of the Constitution of India seeking issuance of writ in the nature of Habeas Corpus.

2. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

3. The petition's paragraph number 2 to 4 contains the accusations of wrongful detention, from which it appears that there is some restraint. In light of the foregoing and the particular facts and circumstances of this case, it is appropriate that the concerned Sub Divisional Magistrate visit the place of detention, either alone or through a warrant officer or another officer designated by the DM/SDM. If it is discovered that the individuals are being held unlawfully, it is imperative that they be released promptly, pending verification that the custody is legitimate and without malice, among other considerations. The SHO of the relevant police station or stations will provide assistance to such an officer in the event that they require it.

4. This petition is closed with the directions mentioned above, which are to be complied with on a priority. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the alleged detainees is required in any cognizable case. It shall also be open for the petitioner to approach this Court again for any surviving



CRWP No.11572 of 2024 -2-

or consequent grievances.

There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

28.11.2024

Sonia Puri

Whether speaking/reasoned: Yes
Whether reportable: No.