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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 3124/2024**

AMIT PAL AND ANR

.....Petitioners

Through: Mr. Aditya, Ms. Pragya Dubey, Mr.
Anjani Kumar Mishra, Mr. Kailash
Kr Jha, Adv. (M:8699723746)

versus

COMMISSIONER OF POLICE AND ORS

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal &
Mr. Abhinav Kumar Arya, Adv. with
SI Kunal Kishor PS Roop Nagar.
Mr. Rishabh Sahu, Sr. Panel Counsel
with Mr. Sameer Sharma, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% 07.10.2024

1. This hearing has been done through hybrid mode.
2. This is a petition filed under Article 226 of the Constitution of India read with Section 528 of BNSS seeking issuance of writ in the nature of *habeas corpus* for production of two persons namely, *Manoj Pal and Madhurendra Saha*, who are stated to be brothers of the respective Petitioners.
3. It is alleged by the Petitioners that their brothers, who are stated to be street vendors, had been picked up by the police in front of Shop/Building No.10-F, Samay, Near Spark Mall, Kamla Nagar, Keshav Puram Zone, Ward No.78-N, Delhi on 3rd October, 2024. It is also stated that the said two street vendors were produced before the Id. Special Executive Magistrate, North at 4:00 pm on 4th October, 2024. The allegation is that the brothers have been



sent to the Judicial Custody by the Id. Special Executive Magistrate, however, the Petitioners were not provided copies of the said order as also the *kalandra* prepared by the Police.

4. Mr. Sanjay Lao, Id. Standing Counsel has submitted a status report dated 7th October, 2024 and the same is taken on record. As per the said report on 4th October, 2024, the brothers were produced before the Id. SEM/North, Sarai Rohilla, Delhi and since the said persons could not produce their surety they were sent to Judicial Custody for two days. It is stated that on 5th October, 2024 upon the brothers producing sureties, they were released by the Id. SEM, North.

5. Id. Counsel for the Petitioners submits that both the street vendors have been harassed due to the complaints made by them against the police.

6. Be that as it may, as both the vendors have been released now, no further orders are called for in this petition.

7. The said vendors are free to avail of their remedies in accordance with law, in respect of any orders passed against them. It is made clear that the police authorities shall not harass them in any manner.

8. Present writ petition is disposed of in the above terms.

9. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

AMIT SHARMA, J

OCTOBER 07, 2024/dk/ms/sc