



CRWP-1260-2025

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**107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-1260-2025

Date of Decision: 07.02.2025

Mahesh Kumar

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Deepak Negi, Advocate,
for the petitioner (through VC).

Mr. Kirpal Singh Thakur, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. The petitioner has filed the present petition under Article 226 of the Constitution of India for issuance of writ in the nature of Habeas Corpus for release of detenues Smt. Pooja Devi (petitioner wife), Sonia and Shivam (daughter and son of the petitioner), who have been kept in illegal custody by respondent No.4 with other companions/relatives of respondent No.4. Further prayer has been made for appointment of Warrant Officer to search the detenues.

2. Vide order dated 05.02.2025, Warrant Officer was appointed with roving writ and was directed to file report. In pursuance to the same, report of the Warrant Officer dated 06.02.2025 has been filed in a sealed cover. The same is opened and perused and is taken on record. It has been stated in the report that the alleged detainee i.e. wife of the petitioner left home alongwith her two children, because of the atrocities committed by her husband i.e. the petitioner and thereafter, they met with an accident. She deposed that the allegations made in the writ petition are false and frivolous.

3. Learned State counsel has also submitted that on verification it

is found that present writ petition has been filed in a clandestine manner and there was no truth in the same.

4. Learned counsel for the petitioner has submitted that he wishes to withdraw the present petition. He has further submitted that the petitioner is a very poor auto driver and is earning a meagre amount.

5. Though the petitioner deserves to be imposed a heavy cost, however, keeping in view the facts and circumstances of the case and the financial condition of the petitioner, this Court finds it appropriate to dispose of the present petition. However, the petitioner is cautioned to remain vigilant in future.

6. In view of the above, when the detenues are not in illegal custody of anyone, nothing survives in the present petition and the same is disposed of as such.

07.02.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No