

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

CRWP No.1281 of 2025 (O&M)
Date of decision: 06.05.2025

.....Petitioner

Versus

.....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. Hitesh Chauhan, Advocate for
Mr. Dharamvir Sharma, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG, Haryana.

Mr. Ram Kumar Saini, Advocate
for respondent Nos.5 and 7.

H.S. GREWAL J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking issuance of writ in the nature of Habeas Corpus for appointment of warrant Officer for release of detenue namely Sanjay @ Neelam (mentally retarded person-elder brother of the petitioner) who is stated to be in illegal custody of respondent Nos.5 to 7.

2. Reply by way of affidavit of Shiva Archan, Assistant Commissioner of Police, West, Gurugram on behalf of the respondent-State has been filed which is taken on record.

3. I have gone through the reply. As per reply so filed, it is stated that the alleged detainee namely Sanjay @ Neelam is residing with respondent No.7, the erstwhile father in law of the alleged detainee, alongwith his minor son, at his own free will.



4. Since the alleged detainee, is an adult and there is no apparent indication that he is mentally challenged, no further order is required to be passed by this Court, as he is living with respondent No.7 out of his own free will.
5. In view of the above facts and circumstances, the present petition is dismissed.

06.05.2025

Sonia Puri

(H.S. GREWAL)
JUDGE

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