

(2023) 07 P&H CK 0007

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 6503 Of 2023

Vinod Kumar

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 03-07-2023

Acts Referred:

Citation : (2023) 07 P&H CK 0007

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : Aditya Partap Singh, Shiva Khurmi

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. Seeking release of the alleged detenu, the peoner has come up before this Court under Arcle 226 of the Constuon of India.

2. Noces served upon the o?cial respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of o?cial respondents nor the issuance of nocess to the priva te respondents is required.

3. The allegaons regarding illegal detenon are sta ted in paragraphs no. 2 of the petition and prima facie, point towards some restrain . Given above, considering the facts and circumstances peculiar to this case, it shall be appropriate that the concerned District Magistrate, either on its own or through a warrant o?cer or any other o?cer authorized by him, visit the place of detenon and, if the persons are found to be in illegal custody, ensure their immediate release, subject to verificaon, that there are no malafide intenons and the custody is bonafide, apart from other aspects which would require consideraon. If such an o?cer needs police assistance, the SHO of the concerned police staon(s) shall provide it.

4. This petition is closed with the direcons menoned 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 detainee is required in any cognizable case. It shall also be open for the petitioner to approach this Court again for any surviving or consequent grievances.

5. 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.

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