



106

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-10345-2024

DATE OF DECISION: 08.01.2025

AADARSH RANI

...PETITIONER

Versus

UT OF CHANDIGARH AND ORS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioner(s).
Mr. Shashank Bhandari, Addl. PP, UT Chandigarh.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Article 226 of the Constitution of India praying for issuance of writ in the nature of Habeas Corpus directing respondents No. 2 to 4 to rescue the minor detenu namely Kashish from the illegal detention and to produce her before the Court.

After having conducting the proceedings on various dates this Court deputed the Warrant officer on 24.10.2024 whose fee was directed to be borne by the petitioner. On the next date i.e. on 28.10.2024, the petitioner showed financial restraints to deposit the said fee and the State Legal Services Authority, UT Chandigarh was directed to deposit the fee for appointment of warrant officer. Thereafter, on 04.11.2024 the status report was filed by way of an affidavit of Jasbir Singh, ADPO, North East, UT Chandigarh along with the report of the Warrant officer which disclosed that an FIR No. 57 dated 08.10.2024 has been registered under Section 137(2) of BNS Act. In the report of the warrant officer it was recorded that after



CRWP-10345-2024

-2-

making search at the places pointed by the petitioner the alleged detenu could not be traced and the petitioner does not want any further raid by the police or the warrant officer and has no doubt for any other place but when the said statement was put forth to the petitioner who was present in person, denied in Court and at that stage, counsel for UT Chandigarh was called upon to investigate and submit comprehensive action plan taken to trace the alleged detenu. Learned counsel for UT Chandigarh informs the Court that in fact along with the detenu namely Kashish another girl namely Ritika was also abducted by respondent No.5 who is paternal uncle of Ritika.

On 20.11.2024, an affidavit of Kanwardeep Kaur, IPS SSP, UT Chandigarh was filed along with the statement by way of an affidavit of Ashok Kumar, ASI Belt No. 2981/CP, which was taken on record. In view of the said affidavit, SSP, UT Chandigarh has assured the Court that effective steps were being taken and sought two weeks time to do the needful and the matter was thereafter deferred to 09.12.2024 wherein again counsel for UT Chandigarh submitted that the steps taken are in progress and sought time to file status report.

Again another report on 17.12.2024 was filed by way of an affidavit with details of certain steps taken by the investigating officer and the matter was deferred to 08.01.2025 wherein the petitioner counsel sought time to counter to the said status report asserting that standard procedure is not being followed which is duly prescribed in the case of missing persons.



CRWP-10345-2024

-3-

Today, counsel for UT Chandigarh has produced photocopies of recovery memos vide which the missing girls namely Kashish and Ritika have been recovered who were produced before the Illaqa Magistrate/JMIC wherein the statements have been got recorded on 27.12.2024. The copies of such statements are taken on record as document 'A' collectively. Further, the recovery memo and the handing over of these two minor girls to their mothers have been produced of even date i.e. 27.12.2024 depicting that Ritika has been taken into custody by her mother namely Smt. Poonam whereas Kashish has been handed over to her mother namely Smt. Aadarsh Rani-the present petitioner, the same are taken on record and is marked as 'B' collectively.

In light of the above, nothing survives in the present petition and the absence of the counsel for the petitioner today in Court is suffice for this Court to infer that petitioner does not wish to pursue the present petition as relief sought by the petitioner has been addressed.

Consequently, the present petition stands disposed of inviting no further orders or proceedings.

(SANDEEP MOUDGIL)
JUDGE

08.01.2025
anuradha

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