

HABC No. 16 of 2012

with

CLMA No. 22636 of 2012

Hon'ble Prafulla C. Pant, J.

Mr. Bhupesh Kandpal, Advocate, holding brief of Mr. H.C. Joshi, Advocate, present for the petitioner.

Mr. T.C. Aggarwal, Addl. G.A., present for the State.

Mr. B.S. Parihar, Advocate, present for the respondent nos. 5, 6 and 7.

The Station House Officer, Kotwali Roorkee, is present in person in Court.

Learned counsel for the State informs that Irfan, alleged detenu is not in the custody of respondent nos. 5, 6 and 7. A counter affidavit has been filed on behalf of the respondent no. 3 and 4 in this regard.

Learned counsel for the respondent nos. 5, 6 and 7 also states that Irfan (husband of the present petitioner) who was working in the brick field run by respondent nos. 5, 6 and 7 has left the job after taking his dues from them.

In the above circumstances, since Irfan is said to be not in the custody of the respondents, no further action is needed.

Therefore, notice issued on 27.03.2012, stands discharged. The writ petition under Article 226 of Constitution of India, for writ of Habeas Corpus in nature, is dismissed. (Interim relief application no. 2263 of 2012, also stands dismissed).

(Prafulla C. Pant, J.)

Parul

30.04.2012