

(2024) 12 UK CK 0103

Uttarakhand High Court

Case No: Habeas Corpus Petition No. 39 Of 2024

Rohit Saini

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision: Dec. 31, 2024

Hon'ble Judges: G. Narendar, CJ; Manoj Kumar Tiwari, J

Bench: Division Bench

Advocate: Vikas Bahuguna, J.S. Virk, Rakesh Kumar Joshi, Ramji Srivastava, Nishant Krishna Adhikari

Final Decision: Disposed Of

Judgement

G. Narendar, CJ

1) Heard learned counsel for the petitioner, learned counsel for the 5th respondent, and learned Deputy Advocate General for the State.

2) The Deputy Advocate General has produced the corpus, i.e., the father of the petitioner, who, it is alleged, is admitted in the 4th respondent rehabilitation center, much against his will.

3) Today the Sub Inspector of Police Mr. Ramesh Joshi, Police Station Cantt., District Dehradun is present before the Court along with the detenu.

4) On interaction the detenu would submit that he is willing to accompany his son. The petitioner has also filed a supplementary affidavit, wherein he has deposed as under :

¶8. That it is noteworthy to mention here that the deponent has also got passport of the corpus (Mr. Sucha Singh) issued from concerned authorities with the sole intention to take him to Dubai with him for his better health and care. True copy of the passport of corpus (Mr. Sucha Singh)

is being annexed and marked as Annexure No. SA-4.

10. That the deponent undertakes that the deponent will take care of his father namely Shri Sucha Singh and if required will take him to Dubai along with him after completing all the formalities.â€

5) In view of the desire expressed by the detenu to accompany his son, we direct that he be set at liberty and permitted to accompany the petitioner.

The detenu is also permitted to use and occupy the room in the premises in question.

6) After having heard learned counsel for the parties, this Court is of the view that it would be equitable and in the interest of the detenu that a

constable attached to the local police station be directed to visit the detenu once in five days and record his well being.

7) The habeas corpus petition stands closed, accordingly.