**WRIT PETITION OF HABEAUS CORPUS**

1. Synopsis and list of dates (specimen enclosed)
2. Continue from next page:

**IN THE HIGH COURT OF DELHI AT NEW DELHI,
CRIMINAL ORIGINAL JURISDICTION
WRIT PETITION (CRIMINAL) NO. OF 2020
(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)**

IN THE MATTER OF:

\_\_\_\_\_\_\_\_\_\_ S/O \_\_\_\_\_\_\_\_\_\_

AGED ABOUT \_\_\_\_\_\_\_\_\_\_YEARS
RESIDENT OF \_\_\_\_\_\_\_\_\_\_
THROUGH \_\_\_\_ S/O \_\_\_, AGED \_\_\_\_\_
YEAR AS NEXT FRIEND PETITIONER

VERSUS

1. STATE GOVERNMENT
HOME DEPARTMENT
DELHI RESPONDENT NO. 1
2. DISTRICT MAGISTRATE
TEES HAZARI COURT
NEW DELHI RESPONDENT NO. 2
3. SUPERINTENDENT
TIHAR JAIL
NEW DELHI RESPONDENT NO. 3

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING INTER ALIA FOR ISSUING WRIT OF HABEAS CORPUS TO RESPONDENT NO. 1, 2 AND 3 THEREBY QUASHING THE IMPUGNED ORDER AND DIRECTING THE RELEASE OF THE PETITIONER AND GRANTING REASONABLE COMPENSATION TO THE PETITIONER

TO,
THE HON'BLE CHIEF JUSTICE OF HIGH COURT,
AND HIS COMPANION JUDGES OF THE
HON'BLE HIGH COURT OF DELHI.

The humble petition of the
Petitioner above named.

1. That the Petitioner is filing the present writ petition under article 226 of the constitution of India praying inter alia for issuing writ of Habeas Corpus to respondent no. 1, 2 and 3 thereby quashing the impugned order and directing the release of the petitioner and granting reasonable compensation to the petitioner.
2. That the petitioner resides in \_\_\_\_\_\_\_\_\_ and has been a law abiding citizen of India.
3. That on \_\_\_day of \_\_\_\_, the Petitioner was arrested and detained for a period of 2 months in the Tihar Jail, New Delhi, wherein the Respondent No. 3 is the Superintendent, with an order passed by the Respondent No.1 dated \_\_\_ under the National Security Act, 1980. A copy of the order by the Respondent No. 1 has been annexed herewith as Annexure 1.
4. That, on the date of getting detained and arrested in the Tihar Jail. The Petitioner was not informed about the grounds of his detention by Respondent No. 3.
5. That after Ten days of getting arrested and detained, the Petitioner was informed of his ground of arrest and detention.
6. That the report of the ground of detention was furnished to the Petitioner in English, which is not understood by the Petitioner.
7. That the Petitioner's father is interested in the release of the Petitioner from the detention.
8. That the Petitioners have no other efficacious remedy except to approach this Hon'ble Court by way of this Petition under Article 226 of the Constitution of India.
9. That the Petitioners have not filed any other petition or preceding in any court or tribunal throughout the territory of India regarding the matter.
10. Therefore, the order by Respondent No. 1 dated \_\_\_\_\_\_, is illegal, arbitrary and with lack of jurisdiction because of the following grounds given below:-

GROUNDS

That the present Writ Petition is being filed on the following, amongst other, grounds without prejudice to each other;

1. BECAUSE THE GROUNDS OF DETENTION WERE FURNISHED TO THE PETITIONER AFTER PROLONGED DELAY.
2. BECAUSE THE PETITIONER'S DETENTION IS VIOLATION OF ARTICLE 21 OF THE INDIAN CONSTITUTION.
3. BECAUSE THE GROUNDS OF DETENTION OF THE PETITIONER WAS GIVEN IN ENGLISH, WHICH IS NOT COMPREHENSIBLE FOR THE PETITIONER.
4. BECAUSE THE GROUNDS OF DETENTION IS VERY ARBITRARY AND VAGUE.

PRAYERS

In view of the facts & circumstances stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to:-

1. Issue a Writ of Habeas Corpus to the Respondent 1 to 3 thereby quashing the impugned order;
2. Issue an appropriate Writ Directing release of the Petitioner;
3. Issue appropriate Writ granting reasonable compensation to the Petitioner;
4. Any other relief, order or direction this court may deem fit and proper under the facts and circumstances of this case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.

FILED BY:
(\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)
ADVOCATE FOR THE PETITIONER

DRAWN ON:

New Delhi
Date:

1. The Writ Petition should be accompanied by:
2. Affidavit of the petitioner duly sworn.
3. Annexures as referred to in the Writ Petitioner, Rs.2/- per Annexure.
4. 1+5 copies of the Writ Petition are required
5. Court fee of Rs.50/- per petitioner (In Crl. Matter no court fee is payable)
6. Index (As per Specimen enclosed)
7. Cover page (as per Specimen enclosed)
8. Any application to be filed, Rs. 12/- per application
9. Memo of appearance, Rs. 5/- Court fee.

Petitioner-in-person may see a copy of WP (kept with AR-IB) to have practical knowledge about drafting of petition.

\*\*\*\*\*\*\*\*

**I N D E X**

|  |  |  |
| --- | --- | --- |
| SI no. | PARTICULARS | PAGES |
|  |  |  |
|  | Synopsis and List of Dates |  |
|  | Writ Petition along with Affidavit |  |
|  | Annexures  |  |
|  |  |  |