

WRIT OF HABEAS CORPUS

In the High Court of Judicature at Gujarat

Writ Petition No. _____

Under Article 226 of the Constitution of India

1. _____ s/o ___ aged about years, resident of _____ through _____ s/o ___, aged _____ year as next friend.

.....PETITIONER

VERSUS

1. State Government, Home Department, Gujarat
2. District Magistrate, Surat
3. Superintendent, Sabarmati Jail, Ahmedabad

....RESPONDENTS

To

The Hon'ble Chief Justice and His Companion Judges of the aforesaid Court.

The humble petition of the petitioner above named respectfully showeth:

1. That the petitioner resides in _____ and has been a law abiding citizen of India.
2. That on ___day of____, the Petitioner was arrested and detained for a period of 3 months in the Sabarmati District Jail, 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.
3. That, on the date of getting detained and arrested in the Sabarmati Jail Ahmedabad. The Petitioner was not informed about the grounds of his detention by Respondent No. 3.
4. That after seven days of getting arrested and detained, the Petitioner was informed of his ground of arrest and detention.

5. The report of the ground of detention was furnished to the Petitioner in English, which is not understood by the Petitioner.
6. The Petitioner's father is interested in the release of the Petitioner from the detention.
7. Therefore, the order by Respondent No. 1 dated_____, is illegal, arbitrary and with lack of jurisdiction because of the following grounds given below:-
 - a. The grounds of detention were furnished to the Petitioner after prolonged delay.
 - b. The Petitioner's detention is violative of Article 21 of the Indian Constitution.
 - c. The grounds of detention of the Petitioner was given in English, which is not comprehensible for the Petitioner.
 - d. The grounds of detention is very arbitrary and vague.

Wherefore, it is respectfully prayed that this Court may issue a writ of Habeas Corpus to the Respondent 1 to 3 thereby quashing the impugned order and directing the release of the Petitioner and granting reasonable compensation to the Petitioner.