

In the High Court of Punjab and Haryana at Chandigarh

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Criminal W.P. No.1679 of 2015

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Date of decision:28.11.2015

Amarjit Singh

...Petitioner

v.

State of Punjab and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Munish Nagar, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

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Inderjit Singh, J.

This criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus directing respondents No.1 to 3 to release detenu mentioned in para No.2 of the petition from their illegal confinement and produced before this Hon'ble Court and a Warrant Officer may be appointed with roving writ to look for the detenu and if he is found in illegal confinement, to set him at liberty forthwith.

Notice of motion was issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has appeared on behalf of the respondents No.1 to 3.

As per order passed by this Court on 21.11.2015, a Warrant

Officer was appointed with the direction to search for the detenu at the place (s), as may be pointed out by the petitioner and in case the detenu is found to be in illegal detention, he shall be got released forthwith.

The report of the Warrant Officer has been received. As per the report of the Warrant Officer, he went to the Police Station Mukandpur, District S.B.S. Nagar, but no one was found there. The S.H.O. told that two complaints have been received, which are under investigation and alleged detenu has not been arrested till now and no case stands registered against him. Thereafter, the petitioner verbally stated before the Warrant Officer that he does not know the place where he has been detained, so in these circumstances the Warrant Officer did not want to carry his search further.

Keeping in view the report of the Warrant Officer as the detenu has not been found in illegal detention in the Police Station or the place as pointed out by the petitioner, no further action is required to be taken and the petition is disposed of.

November 28, 2015.

(Inderjit Singh)
Judge

hsp