

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.849 of 2014 (O&M)
Date of Decision: October 20, 2015

Joginder Mahato

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rakesh Kumar, Advocate
 for the petitioner.

Mr.B.S.Bhullar, Asstt. Advocate General, Punjab
 for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this criminal writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. praying for the issuance of a writ in the nature of habeas corpus directing the respondents No.3 to release the detenue namely Rajesh Matto.

Notice of motion was issued and learned State counsel appeared and filed reply. The warrant officer was also appointed and he submitted his report dated 01.06.2014.

As per the report of the Warrant Officer, he along with the petitioner and his friend reached police station Tanda District Hoshiarpur at about 11.21 P.M. on 31.05.2014. Sh.Rajnessh Kumar, PRHC was present on the Santry duty. The warrant officer got

opened the door of the police station and entered the Munshi Room where MHC Jasvir Singh was present. Then DDR entry was made in the computer as DDR is maintained in the computer. In the meantime, Inspector Jangjeet Singh, Incharge Police Station Tanda came there and told that FIR No.103 dated 15.05.2014 under Section 364 IPC was registered against the unknown person and the detainee is required by the police for the above-said FIR and DDR entry is there.

From the record, I find that no objection has been filed by the petitioner against the report of the Warrant Officer. Otherwise also, this is a habeas corpus and the detainee has been arrested in the FIR case and as per the record, he was also remanded to police custody at that time by the Court.

In view of the report as well as the proceedings before the Court regarding detainee, who was arrested in the FIR, no further action is required in this case. However, the petitioner is at liberty to avail any remedy available to him before the trial Court as well as by filing independent proceedings.

With the above-said observations, the present criminal writ petition stands disposed of.

October 20, 2015
Vgulati

(INDERJIT SINGH)
JUDGE