

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP No. 602 of 2015 (O&M)

Date of Decision: 19.5.2015

Balwant Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Sharma, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ in the nature of Habeas Corpus seeking the release of alleged detainee namely Mandeep Singh @ Deepa. Petition was filed on the assertion that the detainee had been unlawfully confined by respondents no.3 to 5.

Notice of motion was issued by this Court on 20.4.2015 and even a Warrant Officer had been duly appointed.

Report of the Warrant Officer dated 24.4.2015 has been placed on record and the copy already stands furnished to the counsel for the petitioner.

Learned State counsel has filed in Court today a reply by way of affidavit of Dy.S.P., Sub Division, Kartarpur, District Jalandhar (Rural) and the same is taken on record and copy has been furnished to learned counsel for the petitioner.

A conjoint reading of the report submitted by the Warrant Officer as also the reply filed in Court today would make it apparent that

F.I.R No.48 dated 20.4.2015 under sections 302, 201 I.P.C stands registered

at Police Station, Kartarpur against Mandeep Singh (alleged detainee) as also one Saleem Chander. Such F.I.R was registered on the statement of Mangat Ram. In pursuance to the registration of such F.I.R Mandeep Singh @ Deepa is stated to have been arrested by S.I. Malkiat Singh, Additional S.H.O., Police Station, Kartarpur in the presence of H.C. Kewal Singh at about 4.30 P.M on 21.4.2015 and the factum of arrest has already been disclosed to his wife namely Simran Kaur on that day itself.

In the light of such factual position, nothing survives in the instant petition and the same is, accordingly, dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

May 19, 2015
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