

CRWP 1773/2015

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Date of decision:29.03.2016

Sunny Kumar

.....Petitioner

v.

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

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

Mz.Rimplejeet Kaur,AAG Punjab with ASI Manjinder
Singh

Jaswant Singh,J.(Oral)

The present petition seeking a writ of Habeas Corpus was filed by the petitioner with the allegations that his father Baldev Raj was in illegal detention of respondents 2 and 3 i.e. SSP Moga and SHO PS Dharamkot,Distt.Moga.

Vide order dated 10.12.2015 while appointing a Warrant Officer, notice of motion was issued.

Counsel for the parties heard.

Written statement dated 6.1.2016 by way of affidavit of Jaswinder Singh,PPS,DSP (H)Moga,Distt.Moga has been filed on behalf of respondents stating therein that a secret information was received by the police party headed by ASI Manjinder Singh according

RAJINDER PRASAD JOSHI
2016.03.29 18:31
I attest to the accuracy and
authenticity of this document
High Court, Chandigarh.

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to which as many as seven persons, including father of the petitioner, were planning to commit dacoity. Upon receipt of said secret information a raid was conducted and three persons including Baldev Raj-father of the petitioner was arrested from the spot while rest of the accused run away. It is further stated in the reply that in this regard FIR No.195 dated 10.12.2015 under Sections 399,402 IPC was recorded at PS Dharamkot and as such custody of detenue Baldev Raj was lawful.

In view of the above, present petition is disposed of as having become infructuous.

29.03.2016
joshi

(Jaswant Singh)
Judge