IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.717 of 2015(O&M)
Date of Decision: May 18, 2016

Gagandeep Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Karan Jund Mullanpur, Advocate
for the petitioner.

Mr.Sidakmeet S. Sandhu, Deputy Advocate General, Punjab
for the respondent-State.

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INDERJIT SINGH, J.

Petitioner has filed this criminal writ petition under Article 226 of the Constitution of India for issuance of writ in the nature of Habeas Corpus for recovery of detenue namely Sunil Kumar aged about 27 years, brother of the petitioner from the illegal custody of private respondents No.4 to 7.

Notice of motion was issued and Warrant Officer was appointed in this case, who submitted his report.

As per the report of Warrant Officer, on 29.04.2016 at 12.30 P.M., he received copy of the order and immediately left for Rajpura along with relative of petitioner. They reached at Police Station City Rajpura at 2.10 P.M. Incharge of the Police Station was found present. Then the police party headed by Jaswinder Pal

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Sharma, Head Constable was deputed with him and they left for the residence of respondent No.4 namely Raj Kumar, who was not found available at home but his father namely Sat Pal and Kirandeep wife of Raj Kumar were found present. They checked all rooms of that house but alleged detenue namely Sunil Kumar was not found present either detained or otherwise. On query to Sat Pal, father of detenue, he stated that detenue is a truck driver by profession and was unmarried and working in Bengal and he was also a drug addict and did not listen to him and other family members. He also stated that detenue lastly came to Rajpura about two years ago and in the presence of alleged detenue, his others sons and daughters, they sold some property. Alleged detenue himself appeared before the Sub Registrar at the time of execution of sale deed and he took his share in the shape of cash and thereafter, he left for Bengal and since then, he neither came back nor contacted in any way.

Keeping in view the report of Warrant Officer, alleged detenue was not found in the house of private respondents and his father has reported that he has not come for the last two years.

In view of this report of Warrant Officer, the present petition for issuance of writ in the nature of habeas corpus, has become infructuous as no further action is required in this case.

Therefore, the present criminal writ petition stands dismissed as having been rendered infructuous.

May 18, 2016 **(INDERJIT SINGH)**
Vgulati **JUDGE**

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