

MAMTA MALHOTRA
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Criminal Writ Petition No.709 of 2016 (O&M)

Date of decision: 01st June, 2016

Passo

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Randeep Singh Rana, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner Passo has preferred the instant criminal writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus with a prayer to release Jojee son of Khariti (husband of petitioner) and Vijay Kumar, son of Jojee, who have been taken into illegal custody by respondent Nos.3 to 5 at the instance of Sethi Contractor of liquor vend of Nawanshahar and Phillaur with other persons since 20.05.2016 at 9:00 p.m.

In this case, Warrant Officer was appointed, who submitted the report in the Court.

As per the said report, Warrant Officer visited Police Station Phillaur, District Jalandhar and found the detenues namely Jojee and Vijay Kumar, detained in the lockup. On his inquiry, the detainee alleged that they have been arrested on 20.05.2016 in the evening whereas the incharge of the said Police Station and Investigating Officer Sub Inspector Malkeet Singh stated that the alleged detainee have been arrested on that day i.e. 22.05.2016 in connection with FIR No.105 dated 21.05.2016, under Sections 324, 323,

148, 149, 427, 506 IPC. They further alleged that the alleged detenue will be produced before the Court of Illaqa Magistrate tomorrow i.e. on 23.05.2016 and he gave the copy of FIR and DDR regarding the arrest of alleged detenue to the Warrant Officer.

Today, the learned counsel for the petitioner has admitted that both the detenue have been released on bail by the Court.

Therefore, in view of the report of the Warrant Officer as well as the fact that the detenue have already been released on bail, no further action requires in this petition as it has become infructuous, after release of the detenue.

Learned counsel for the petitioners further states that the petitioners were illegally detained by the police since 20.05.2016.

The detenue are at liberty to avail remedies as available to them for damages etc.

With these observations, the instant petition stands dismissed.

01st June, 2016
mamta

(INDERJIT SINGH)
JUDGE