

257.

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

CRWP-940-2016

Date of decision:25.10.2016

Satta Singh

... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab,
for respondents No.1 to 3.

HARI PAL VERMA, J.(Oral)

On 27.07.2016, this Court passed the following order:-

*“As per office report, learned counsel for the petitioner
has not turned up to take the dasti notices. Therefore, notices
could not be issued to the respondents.*

*Learned counsel for the petitioner undertakes to serve
the respondents afresh on furnishing the process fee.*

Adjourned to 13.09.2016.”

As per report submitted by the office, counsel for the petitioner has not filed process fee. Hence, notice could not be issued to the respondents. However, learned State counsel states that in the instant case, the alleged detainee was arrested in a case under Section 107/151 Cr.P.C. on 13.07.2016 whereas the present petition was filed on 14.07.2016. Therefore, on the relevant date when the habeas corpus was filed, the alleged detainee was already in custody in the aforementioned case.

In view of above, since neither process fee was filed nor no body has turned up on behalf of petitioner and coupled with the fact that the alleged detenue was arrested in the case, present petition stands dismissed.

(HARI PAL VERMA)
JUDGE

25.10.2016
sanjeev