

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

CRWP-1598-2016

Date of decision : 27.01.2017

Sunita Devi and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Onkar Rai, Advocate,
for the petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab,
for respondent Nos.1 to 3

None for respondent No.4.

JITENDRA CHAUHAN, J. (ORAL)

The instant Criminal Writ Petition under Article 226 of the Constitution of India has been filed for issuance of a writ in the nature of Habeas Corpus to direct respondent Nos.2 and 3 to release the detenu- Amandeep Kumar from the alleged illegal custody of respondent No.4 or of other unknown persons, who have kept the detenu at unidentified place.

Learned State counsel has filed reply on behalf of respondent Nos.1 to 3 in Court today. The same is taken on record.

As per reply, alleged detenu, son of petitioner Nos.1 and 2, is an accused in FIR No.154 dated 31.10.2016 registered under Sections 363 and 366-A of the Indian Penal Code at Police Station Machhiwara, District Ludhiana, on the complaint of respondent No.4-Ranju Devi. This has come on record that son of petitioner Nos.1 and 2, who is major and daughter of respondent No.4, who is minor, have gone missing since 29.10.2016 and their whereabouts are also not known. Further, the alleged detenu is

changing his hideouts to evade his arrest and the minor prosecutrix is still to

be recovered.

Considering the fact that the alleged detenu, an accused in the aforesaid FIR, being major, appears to have been deliberately avoiding the proceedings of the Court, I deem it appropriate to dismiss this petition.

Ordered accordingly.

27.01.2017
adhikari

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :Yes No

Whether Reportable : Yes No