

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRWP No.M-218 of 2017
Date of decision:17.3.2017

Parkash Kaur

... Petitioner

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.L.S.Sidhu, Advocate,
for the petitioner
...

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner sought a writ to be issued in the nature of habeas corpus, alleging therein that her husband, Joginder Singh, was taken away on 20.2.2017 at about 6.30 am by police officials of Police Station Guruharsahai, District Ferozepur, with a further allegation that the police officials misbehaved with the ladies of the house while taking away Joginder Singh.

A Warrant Officer having been ordered to be appointed vide an order of this Court dated 23.2.2017, as already noticed in the previous order, his report is on record to the effect that the detinue was found in the aforesaid police station at 12.20 am on 24.2.2017, and as per the daily diary register (Roznamcha) handed over to the Warrant Officer by the police officials present there, it was shown that the detinue, Joginder Singh, was arrested at 6.15 pm on 22.2.2017, invoking the provisions of Sections 107/151 Cr.P.C.. He is stated to have been produced before the learned Sub

Divisional Magistrate, Guruharsahai, on 23.2.2017 at 1.30 pm, as per DDR entry no.25, after which he was sent to judicial custody in Central Jail, Ferozepur.

Learned counsel for the petitioner submits that the allegation of the petitioner specifically being that Joginder Singh was actually taken away from home in the morning of 20.2.2017, the subsequent entries in the DDR were only made to cover up the illegal detention.

He further submits that, as has been stated in the petition, one Head Constable (named in the petition) had also forcibly taken away two blank cheques, the numbers of which have also been given in the petition, from Gurmeet Singh, son of the petitioner, and had allegedly demanded Rs.15,000/- and Rs.10,000/- for the return of the said two cheques.

He submits that he may be permitted to approach the competent Court to prove the facts alleged in the petition.

This petition is accordingly disposed of with the aforesaid liberty.

17.3.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No