

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

CRWP No.401 of 2017 (O&M)

Date of decision: May 3, 2017

Sukhwinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. Jasjeet S.Dhaliwal, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Sukhwinder Kaur has filed this petition under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of habeas corpus directing respondents No.2 to 6 to release the detinue Charanjit Singh (husband of the petitioner) and Balbir Singh and also to release two tractors marka Arjuna Mahindra bearing Regd. No.PB-10DZ-4424 and another tractor marka Arjuna Mahindra whose registration number has been applied for along with trolley from the illegal custody of respondent No.6.

Vide order dated 08.04.2017, passed by this Court, Warrant Officer was appointed in this case with a direction to visit the premises of CIA Headquarter, Ludhiana, Police Station Maherban, District Ludhiana, Police Station Mattewara, District Ludhiana or any other place, as pointed out by the petitioner and to submit the report.

Today, Reply by way of affidavit of Harkamal Kaur, PPS, Assistant Commissioner of Police (Sahnawal), Police Commissionerate,

Ludhiana, has been filed. Same is taken on record. Copy has been supplied.

Report of Warrant Officer has been received. The same is perused.

As per report of Warrant Officer, an FIR No.76 dated 07.04.2017, has already been registered against Charanjit Singh and Balbir Singh, under Section 21 of Mining Act and Section 379 of Indian Penal Code. It is further averred that accused/alleged detainee-Balbir Singh has already been sent to judicial lock-up in compliance of order dated 08.04.2017, passed by learned Duty Magistrate, whereas accused/alleged detainee Charanjit Singh is yet to be arrested in the case.

As regards tractors along with trolley, it has been reported by the Warrant Officer that the trollies are loaded with sand and the same are lying in the police possession and entry thereof was also made in the Rapat Roznamcha.

In view of the report, submitted by the Warrant Officer, no further action is required to be taken in this petition.

Disposed of accordingly.

May 3, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No