

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

**CRWP No.448 of 2017
Date of Decision: 16.05.2017**

Amarjit Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab
for the respondents-State.

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of habeas corpus directing the respondents to release the detenues namely Gurbhej Singh @ Geja son of Rudh Singh and Paramjit Singh @ Bitu son of Rudh Singh, who are alleged to be in the illegal custody of respondent No.3-SHO, Police Station Civil Lines, Patiala.

Notice of the petition was issued to the State in response to which an affidavit of SSP, Patiala has been filed.

In the above affidavit it has been stated that one Kuldeep Kaur wife of late Pritam Singh had filed an application to respondent No.3 that her grandson Khushpreet Singh along with his friend, had gone to fill petrol in his scooter. After getting filled petrol when he was coming back, Gurbhej Singh alias Geja, Paramjit Singh alias Bittu and Manu, who were armed with Dangs, stopped him and threatened to kill him.

On the basis of the above application, Gurbhej Singh and Paramjit Singh were arrested under Sections 107/151 Cr.P.C. and such arrest was recorded vide DDR No.32, dated 20.04.2017. Since the arrest was at odd hours, they were detained in the Police Station Civil Lines, Patiala and on the next morning i.e. 21.04.2017, Gurbhej Singh and Paramjit Singh were produced before the Executive Magistrate, Patiala and were released on bail.

The matter against the aforesaid Gurbhej Singh and Paramjit Singh registered under Sections 107/151 Cr.P.C. is stated to be still pending.

There is no representation on behalf of the petitioner to rebut the above facts.

In view of the above, it can safely be presumed that Gurbhej Singh and Paramjit Singh were never in the illegal custody of respondent No.3.

In view of the above, no further orders are required to be passed.

Disposed of accordingly.

May 16, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No