

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.922 of 2017(O&M)

Date of decision: 18.08.2017

Gulshan Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Sukhpreet Kaur, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed by the petitioner under Article 226 of the Constitution of India for issuance of a writ of Habeas Corpus for release of the alleged detainee-Mam Raj, father of the petitioner, who is stated to be in illegal custody of respondent No.3.

Reply by way of affidavit of Gurvinder Pal Singh, PPS, Deputy Superintendent of Police, Samrala on behalf of respondent Nos.1 and 3 has been filed in Court today and the same is taken on record.

As per paragraph No.2 of the reply, the alleged detainee was arrested under Section 41(1) Cr.P.C. on 08.08.2017, informing his relative Ram Husan, He was produced before the learned Magistrate on 09.08.2017 and thereafter he remanded in police custody for one day. On 10.08.2017, he was sent in judicial custody by the Ld. Magistrate till 24.08.2017. It is further mentioned in reply that since during investigation, he was found innocent and no offence has been made out against the alleged detainee. Therefore, the police moved an application for discharge of the alleged detainee.

In view of the same, this petition is rendered infructuous with liberty to avail his remedy in accordance with law.

**(ARVIND SINGH SANGWAN)
JUDGE**

18.08.2017

hemlata

Whether speaking/reasoned

No

Whether reportable

No