

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

**CWP No. 11711 OF 2016
DECIDED ON : 30.01.2018**

Swaran Singh

...Petitioner

versus

Union of India and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present : Mr. Sanjeev Patiyal, Advocate,
for the petitioner.

Mr. Satya Paul Jain, Additional Solicitor General of India
with Mr. Dheeraj Jain, Senior Government Counsel,
for respondents No.1 and 2.

Mr. Jagmohan S. Ghuman, DAG, Punjab,
for respondent No.3.

ANUPINDER SINGH GREWAL, J.

1. The petitioner has sought a direction to the respondents to initiate appropriate proceedings for bringing back Nannak Singh @ Kakkar Singh son of Rattan Singh resident of village Kot Rajada (Channa Bedi), Tehsil Ajnala, District Amritsar from Pakistan.

2. Learned counsel for the petitioner has contended that Nannak Singh @ Kakkar Singh is languishing somewhere in Pakistan jail since 10.11.1984. At that time, he was about five years of age. He has further contended that there was negligence on the part of official respondents in not recognizing him when the list (Annexure P-1) was received in India and due to difference in his name, he could not be brought back.

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3. In response to the notice, reply has been filed on behalf of respondent No.2-Union of India, wherein it is stated that the case of Nannak Singh @ Kakkar Singh son of Rattan Singh resident of village Kot Rajada (Channa Bedi) Tehsil Ajnala, District Amritsar, is being pursued by Government of India through Indian High Commission, Islamabad relentlessly. Reference has been made to various communications sent to Government of Pakistan in this regard. Copies of the communications have also been annexed as Annexure R-2/1 (colly) with the reply.

4. Learned Additional Solicitor General of India has furnished a copy of the communication dated 16.10.2017 sent by High Commission of India, Islamabad to the Ministry of Foreign Affairs, Government of Pakistan. In the communication, reference to earlier communications has been made with regard to Nannak Singh @ Kakkar Singh, Harpreet Singh and Gurmeet Singh, wherein Ministry of Foreign Affairs, Government of Pakistan had been requested to confirm their presence in any other jail in Pakistan and provide consular access to them at the earliest as it had been conveyed by the Ministry of Foreign Affairs, Government of Pakistan, vide its communication dated 19.05.2017, that they are not lodged in Kot Lakhpati Jail, Lahore. It is also mentioned in the communication dated

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16.10.2017 that safety, security and well-being of all the Indians and believed to be Indian prisoners/fishermen may be ensured till they are in Pakistani jails.

5. In view of the reply filed by respondent No.2 and the afore-noted communication dated 16.10.2017, we are satisfied that efforts are being made by Government of India with regard to locating the prisoners and providing consular access to them. Therefore, no further directions are required to be issued to the respondents in the matter. However, in case the petitioner is able to gather any authentic information about the location of Nannak Singh @ Kakkar Singh, he shall be at liberty to revive this petition.

6. The writ petition stands disposed of accordingly.

**(AJAY KUMAR MITTAL)
JUDGE**

**(ANUPINDER SINGH GREWAL)
JUDGE**

JANUARY 30, 2018
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Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO