

259-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.1347 of 2017
Date of decision: 23.01.2018

Davinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Swati Batra, Advocate for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this criminal writ petition is for releasing the son of the petitioner namely Gurdev Singh from the custody of the police, who was confined at Police Station Fattu Dzinga, District Tarn Taran.

Reply by way of affidavit of Waryam Singh, Deputy Superintendent of Police, Sub-Division Sultanpur, District Kapurthala on behalf of the respondent has already been filed.

Counsel for the petitioner has submitted that as per the allegations made in the complaint, the detenue namely Gurdev Singh was taken by the police on 02.10.2017 whereas in the petition filed by the Deputy Superintendent of Police, it is stated that the detenue was arrested on 06.10.2017.

Counsel for the State has submitted that, in fact, the FIR regarding a theft of truck was registered on 02.10.2017 and the recovery of the truck along with arrest of the detenue was made on 06.10.2017. It is further submitted that the detenue was also implicated in a subsequent FIR regarding running away from the police custody and he is on bail.

Without commenting anything on merits of the case, this petition is dismissed, leaving it open for the parties/detenue to take the plea regarding illegal detention during course of the trial, in accordance with law.

23.01.2018

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(ARVIND SINGH SANGWAN)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No