

In the High Court of Punjab & Haryana at Chandigarh.

CRWP-264-2018

Date of decision: 03.04.2018

Manpreet Kaur and Anr

..... Petitioners.

VS.

State of Haryana and Ors

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.S.Kahlon, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J.(ORAL)

Prayer in this petition is for issuance of a direction to respondent No.2 to release the detainee, namely Jaipal Singh and Jarnail Singh both sons of Ruldha Singh.

Short reply by way of affidavit of Assistant Commissioner of Police, Crime, Panchkula, on behalf of respondents No. 1 to 4 has been filed in Court today and the same is taken on record and as per this affidavit, FIR No. 211 dated 30.06.2017 under Section 61-01-14 of the Excise Act, 1914 was registered on a secret information and one Rinku Behal was arrested alongwith illicit liquor. It is further stated that the said accused Rinku has suffered a disclosure statement that the driver of the car was one Lovely @ Billa and the liquor belongs to Jarnail Singh, one of the alleged detainee and he is absconding and the police is trying to arrest him. It is further stated in the affidavit that police party headed by respondent no.5-ASI Babu Ram (since deceased) has raided the house of Jarnail Singh but he was not found whereas petitioner No.2 and other detainee were found and they were investigated about the whereabouts of Jarnail Singh. It is further stated that

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on 08.03.2018, Jaipal Singh came to the Crime Branch at Kalka and he was asked to sit in the reporting room for the purpose of inquiry, at the same time Warrant Officer came who alongwith said Jaipal Singh went away from there.

The report of the Warrant Officer is also on record who has stated that vide DDR No. 1 dated 08.03.2018, he had visited the premises of Crime Branch, Kalka and found Jaipal Singh, one of the alleged detenue, whereas Jarnail Singh was not found in the premises of the Police Station and Jaipal Singh was set free as per the report of the Warrant Officer dated 12.03.2018.

Learned State counsel, on instructions from H.C.Gurmeet Singh, submits that Jarnail Singh had not been arrested.

In view of the same, this petition is rendered infructuous. However, it will be open for the petitioners to take appropriate legal steps in accordance with law.

03.04.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No