

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

229

CRWP-740-2018
Date of Decision:29.11.2018

Pal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Nikhil Chopra, Addl. AG, Punjab.

MANOJ BAJAJ, J.(Oral)

Pal Singh-petitioner has filed this petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking the writ in the nature of Habeas Corpus for release of the detenue namely Amarjeet Singh @ Geji. It is alleged that the detenue is his son and was forcibly taken away by the police officials on 10.09.2018 at around 11.00 AM. It is alleged that the petitioner's son is in illegal custody and all his efforts for his release have proved to be futile, compelling him to approach this Court.

On 13.09.2018, Warrant Officer was appointed to locate the said detenue and pursuant to that the report of the Warrant Officer dated 29.09.2018 has been filed, wherein it is mentioned that son of the petitioner namely Amarjeet Singh was not found at the Police Station. However, it was intimated that an FIR No.0139 dated 23.08.2018 registered under Sections 307, 341, 506 and 34 IPC and Section 25 of the Arms Act at Police Station

Lalru stands registered against Gurjant Singh and few unknown others

under Section 307 IPC.

Amarjeet Singh is stated to be one of the suspects, who has not responded for interrogation despite intimation.

Reply by way of affidavit of Sh. Kanwalpreet Singh, PPS, Deputy Superintendent of Police, Investigation, SAS Nagar, District SAS Nagar on behalf of respondents No.1 to 3 has been filed. In Para 4 of the reply, it is mentioned that prima facie there was involvement of Amarjeet Singh in case FIR No.139 dated 23.08.2018 registered under Sections 307, 341, 506 and 34 IPC and Section 25 of the Arms Act at Police Station Lalru and he was arrested by the police on 16.09.2018 and was produced before the Magistrate on 17.09.2018. Due intimation of arrest was also given to the petitioner.

In view of the above, nothing survives for adjudication.

Disposed off as infructuous.

29.11.2018

sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No