

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

**CRWP No.90 of 2018
Date of Decision: 05.04.2018**

Jasbir Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ravi Singh, Advocate for the petitioner.

Mr. Harbir Sandhu, Assistant Advocate General, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of habeas corpus directing the respondent(s) to release the detenues, namely, Jaskirat Singh s/o Jasbir Singh, Amandeep Singh s/o Jaswinder Singh and Gurpreet Singh @ Gopi s/o unknown, being in the illegal custody.

In pursuance of the notice of motion issued by this Court on 23.01.2018, reply by way of affidavit dated 24.01.2018 of Sh. Deep Kamal, PPS, DSP, Kharar, District SAS Nagar (Mohali) on behalf of the respondents has been filed. The preliminary submissions, as contained in Para 3 thereof, reads as under:-

“ That the said complaint was marked to SI Mohan Lal, who on receipt of complaint alongwith HC Amarjit Singh reached the spot and found the just near the spot all the above said three persons were sitting in their above mentioned vehicle and were abusing and passing threats loudly by calling the name of Sukhjot Singh. Despite continuous efforts to calm them down they did not stop and thus apprehending breach of peace at the hands of the above mentioned persons, all of three of them were taken into custody vide D.D.R. No.30 dated 22.01.2018, under Sections 107, 151 of Cr.P.C. at Police Station Balongi, Tehsil and District SAS Nagar (Mohali). ”

In view of the averments, reproduced hereinabove, it is apparently clear that all three detenues were taken into custody vide DDR No.30 dated 22.01.2018, under Sections 107, 151 of Cr.P.C. at Police Station Balongi, Tehsil and District SAS Nagar (Mohali) and they were later on produced before learned Sub Divisional Magistrate, SAS Nagar (Mohali) on 23.01.2018 and were released on bail.

Consequently, it cannot be said that the detenues were in the illegal confinement.

Accordingly, this petition is disposed off as having been rendered infructuous, however, it is made clear that the petitioner as well as three detenues are at liberty to take all possible legal remedies, available to them against the respondents.

April 05, 2018
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>