

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.253

CRWP-964-2018

Date of decision : 5.12.2018

Harsharan Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. M.S Bajwa, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab, for respondent Nos.1 to 3.

Mr. Sandeep Sharma, Advocate, for respondent Nos.4 to 9.

SUDHIR MITTAL, J. (Oral)

Learned counsel for the petitioner submits that meanwhile, the alleged detenu Didar Singh has been released. However, he was kept in police custody for 02 days and therefore, an enquiry be got conducted as to why the petitioner was kept in illegal custody.

The argument of counsel for the petitioner itself shows that without appointment of a Warrant Officer, the petitioner was released from alleged illegal custody. There is no material on record to show that he was in the illegal custody of the police. In any case, the scope of a writ in the nature of Habeas Corpus is only to get a detenu released from illegal custody, if he is found subjected to the same.

The petition is accordingly disposed of. The petitioner will be at liberty to avail any other appropriate remedy available to him.

**(SUDHIR MITTAL)
JUDGE**

5.12.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No