

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

**CRWP No.428 of 2019 (O&M)
Date of Decision: May 27, 2019**

John Peter

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ritesh Pandey, Advocate
for the petitioner.

Mr.Dhruv Dayal, Sr.DAG, Punjab
for the respondent-State.

Mr.Ravi Malhotra, Advocate
for respondent No.3.

INDERJIT SINGH, J.

The petitioner has filed this criminal writ petition against State of Punjab and other respondents under Article 226 of the Constitution of India in the nature of Habeas Corpus for getting released detainee Christina Masih d/o Imdad Masih from illegal custody of respondent No.4 and his associates as respondent No.4 has concealed detainee and even lodged FIR No.39 dated 24.03.2019 under Sections 376, 384, 323, 500 and 34 IPC, registered at Police Station Division No.7, Police Commissionerate, Jalandhar against the petitioner and others.

Notice of motion was issued. Learned State counsel appeared.

Learned counsel for respondent No.4 also appeared and contested the

petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Detenue Christina Masih, who is present in the Court, stated that present petitioner has filed false and frivolous petition. She is residing with respondent No.4 as per her own consent and she has not been illegally detained. She also made statement that an FIR has already been registered under Section 376, 384 IPC etc. and her documents, certificates, jewellery, clothes are lying with the present petitioner and he is blackmailing her.

Keeping in view the statement of the detenue given in the Court, the present petition is dismissed being false, frivolous and abuse of process of the Court, with costs of ₹1 lakh, which is to be deposited by the petitioner with learned CJM, Jalandhar, within two months from today, which will be paid to the detenue. It is also made clear that if the costs is not deposited within specified time, then learned CJM, Jalandhar to get it recovered as arrears of land revenue and the same be paid to the detenue. The concerned SSP is also to look into the matter regarding keeping the certificates and other articles of detenue and take necessary action as per law.

May 27, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No