

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

**Criminal Writ Petition No.640 of 2019 (O&M)
Date of Decision: August 13, 2019**

Suraj

.....PETITIONER(s).

VERSUS

State of Punjab and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: None for the petitioner.
 ASI Balwinder Singh, P.S. Sadar Moga.

SURINDER GUPTA, J.

In this petition filed by Suraj son of Sadashiv, release of alleged detenue Bhero son of Janardhan was sought. Warrant Officer was appointed vide order dated 22.07.2019, who went to Police Station Sadar Moga for search of alleged detenue. There he was apprised that the alleged detenue was called to the police station in connection with investigation of case of a blind murder bearing FIR No.70 dated 11.07.2018 registered at Police Station Sadar Moga for the offence punishable under Sections 302 and 404 of Indian Penal Code. After investigation, he accompanied Davinder Singh, President Chilka Union in presence of Siranjit Singh, Sarpanch.

Warrants Officer made the report as follows:-

“Thereafter, the petitioner telephonically contacted one of his relatives namely Dada Rao at mobile No.75087-48255 and made enquiry regarding the alleged detenue Bhero whereby Dada Rao responded

that the alleged detainee Bhero is present with him at this place in Moga. Consequently, the petitioner further stated before me that he did not want to continue his search anywhere else. Statement in this regard has been recorded and the same is annexed as Annexure 'A'. Necessary entry regarding my departure was made in Computerised Roznamcha vide DDR No.43 dated 22.07.2019 at 11.35 PM.

As the detainee was not found detained illegally in the Police Station Sadar Moga, having no other option, I returned back to Chandigarh.”

In reply filed by the State, similar plea has been taken.

In view of report of Warrants Officer and reply filed by the State, this petition is rendered infructuous and dismissed as such.

August 13, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***