

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

CRWP No. 723 of 2019

Date of decision: - 06.11.2019

PREM SINGH

...Petitioner....

Versus

STATE

.....Respondent....

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Ruhani Chadha, Advocate for
Mr. Rahul Bhargwava, Advocate for the petitioner.

Mr. S.S. Cheema, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The complaint 13.08.2019 sent by the petitioner to Hon'ble the Chief Justice of this Court is treated as Criminal Writ Petition and taken up on judicial side. The allegations levelled in the complaint were that the son of the petitioner (Sukhchain Singh) had been illegally picked up from his house on 12.08.2019 by the police with the assurance that he would be released after investigation.

On 26.08.2019, this Court appointed a Warrant Officer to visit the place where detainee-Sukhchain Singh was alleged to have been illegally detained. On 30.08.2019, the Warrant Officer submitted his report pointing out that detainee-Sukhchain Singh was arrested on 16.08.2019, being an accused in FIR No. 140 dated 12.08.2019, registered at Police Station Gharinda, under Section 21 of the NDPS Act.

This Court on 30.09.2019, while issuing notice of motion directed the Commissioner of Police, Amritsar, to look into the matter and file his reply to the complaint and also annex therewith the DDR/other documents showing the movement of the police officials from the office of the Special Task Force, Amritsar, on 12.08.2019 as also on 16.08.2019, at the time when the complainant's son was stated to have been arrested.

As per the reply filed by way of affidavit of Rachhpal Singh, PPS, Assistant Inspector General of Police, Special Task Force, Border Range, Amritsar, son of the petitioner was arrested on 16.08.2019 in FIR No. 140 dated 12.08.2019 registered under Sections 21, 25, 27 and 29 of the NDPS Act, at Police Station Gharinda, Amritsar-Rural.

Learned State counsel has further drawn the attention of this Court towards Para 12 of the affidavit, which shows the involvement of the complainant's son in as many 12 other criminal cases.

At this stage, Mr. Rahul Bhargwa, Advocate, has appeared and filed Memorandum of Appearance on behalf of the petitioner (complainant), which is taken on record. He submits that the son of the petitioner is not in the illegal custody.

In view of the above, the present petition does not survive and having been rendered infructuous and is disposed of as such.

(HARNARESH SINGH GILL)
JUDGE

06.11.2019
Mangal Singh

Whether reasoned/speaking?	Yes
Whether reportable?	No