

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

111

CRM-34220 of 2019 in/and
CRM-M-43636 of 2019 (O&M)
Date of decision:5.12.2019

Surinder Kaur and another

... Petitioners

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.N.D.Sharma, Advocate,
for the applicants-petitioners
Mr.B.S.Sewak, Addl.AG, Punjab

...

AMOL RATTAN SINGH, J. (Oral)

By this application (CRM-34220 of 2019), the applicants seek an amendment in the memo of parties in the accompanying petition, to the extent that the Commissioner of Police, Ludhiana, and the SHO of Police Station Division no.5, Ludhiana, to be arrayed as respondents no.8 and 9 therein.

However, it has been pointed out, firstly, by the Registry of this Court, that in fact in the amended memo of parties, even the name of respondent no.6 has been changed, it having been shown as Vishal son of Balkar Singh in the original memo of parties, but as Balkar Singh in the amended memo of parties.

Other than that, Mr.Sewak, learned Addl.AG, Punjab, has pointed out that one of the prayers made by the applicants in their application is as follows:-

“c) Prayer for directions to respondent no.1 and 2 to release the petitioner from illegal detention in jail at Amritsar.”

Upon query to learned counsel for the applicants as to how they can be released from jail if they have been incarcerated there on orders passed by a competent Magistrate, he submits that initially applicant-petitioner no.1 was detained illegally by the police authorities and thereafter she has been remanded to judicial custody, also illegally. However, the order remanding her to such custody is not on record.

That being so, the application as also the main petition are dismissed, with liberty to the petitioners to file a fresh one with better particulars.

5.12.2019
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No