

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

CRWP-1123-2019

Date of decision: 26.11.2019

Gurpreet Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, D.A.G., Punjab
for respondents No. 1 to 4

ARUN KUMAR TYAGI, J (ORAL)

The present petition has been filed praying for issuance of a writ of Habeas Corpus for appointment of a Warrant Officer for release of detainee(s) from the illegal custody of respondents No. 3 and 4.

While issuing notice of motion on 22.11.2019 order was passed for appointment of Warrant Officer, relevant part of which is as under :

“ The Registry is directed to appoint a Warrant Officer, who shall search the whereabouts of the alleged detainees at the address mentioned in the writ petition or at any other place(s) as may be indicated by the petitioner, and if, they are found in illegal custody of respondents No. 3 and 4, they be got released forthwith. The fee and travelling charges of the Warrant Officer shall be determined by the Registry as per the rules and borne by the petitioner.

The Warrant Officer is directed to submit his report on 26.11.2019 upto 2.00 P.M. before this Court.”

Warrant Officer has submitted report that at the time of his visit Smt. Amrit Kaur, wife of the petitioner, minor children of the

petitioner and Smt. Kulwinder Kaur, mother in law of the petitioner were standing inside the boundary wall but outside the main building of the Police Station and Sh. Bharat Bhushan, SI-Incharge of the Police Station stated that neither they had been arrested nor any case has been registered against them in the Police Station although FIR No. 110 dated 20.11.2019 has been registered under Sections 120-B, 302, 307, 506 read with Section 34 of the IPC against Sh. Jagjit Singh alias Jonti son of Smt. Kulwinder Kaur and his friends who were yet to be arrested.

Statements of Smt. Simranjeet Kaur, Smt. Kulwinder Kaur and Smt. Amrit Kaur were recorded by the Warrant Officer. In her statement Smt. Amrit Kaur alleged her arrest on 21.11.2019 at about 10.00 to 11.00 A.M., and her detention till 09.25 P.M. on 22.11.2019 in Police Station Nangal and Police Station Sri Anandpur Sahib, Rupnagar.

In view of the fact that none of the detenues were found by the Warrant Officer in the custody of the police and all the detenues were free at the time of his visit, no further action is required to be taken in the present petition which is disposed of accordingly.

However, the petitioner and the detenues shall be at liberty to seek redressal of their grievances if any by filling appropriate proceedings before the appropriate Court.

(ARUN KUMAR TYAGI)
JUDGE

26.11.2019
kavneet singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No