

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

CRWP-1992-2020

Date of Decision:- **28.2.2020**

SARABJIT KAUR

... Petitioner

Versus

STATE

... Respondent

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**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

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**By Post**

Present:- Mr. Randhir Singh Thind, DAG, Punjab.

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**GURVINDER SINGH GILL, J.** (Oral)

1. Pursuant to issuance of notice of motion, reply by way of affidavit of Sh.Palwinder Singh, Assistant Commissioner of Police, Amritsar City has been filed wherein it has been deposed that an identical petition i.e. CRWP-1501-2020 was filed by Ram Gopal, brother-in-law of the present petitioner and wherein a Warrant Officer had been appointed who submitted his detailed report and that considering the same the writ petition was dismissed on 17.2.2020.
2. It has further been deposed in the present petition that one FIR No.183 dated 21.11.2019 registered under Sections 457, 380, 427 IPC, Police Station

Maqboolpura, District Amritsar City was lodged pertaining to theft of cash from an ATM of State Bank of India situated at Daburji Adda and Shubam Enclave, Amritsar wherein theft had been committed after cutting a door of the ATM machine with a cutter. It has further been reported that a surveillance was conducted on persons who had earlier been involved in such like cases and that the petitioner had remained involved in as many as 11 cases, the details of which have been mentioned in the affidavit. It is further deposed that the Warrant Officer who had been appointed in CRWP-1501-2020 had reported that although the detainee Jagat Narain was found present at the third floor of building of CIA staff but he was not found to be detained in any manner and that there was free access and that no police official was present near the alleged detainee at that time and his motorcycle was also found parked in the premises of CIA staff and that the said motorcycle was not stated to be in custody of the police.

3. Keeping in view the aforesaid position wherein a Warrant Officer had been appointed earlier pursuant to another identical petition filed by brother of the alleged detainee and which already stands dismissed and keeping in view the specific stand in the reply that the alleged detainee has not been picked up by police personnel nor has been detained, no further directions are required to be issued. The petition as such is dismissed.

( GURVINDER SINGH GILL )  
JUDGE

28.2.2020  
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No