

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-3730-2020 (O&M)
Date of Decision: 03.07.2020

Sarabjit Kaur

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Umesh Sharma, Advocate for the petitioner

Mr. Amit Mehta, Sr.DAG, Punjab

GIRISH AGNIHOTRI, J. (Oral)

Petitioner Sarabjit Kaur has filed the present petition *inter alia* with a prayer for issuance of a writ of Habeas Corpus for appointment of Warrant Officer to ensure that the detenue, namely, Amarjit Kaur aged 56 years is not kept in illegal custody.

Learned counsel for the petitioner based upon the pleadings submits that the petitioner herein is unmarried daughter of Amarjit Kaur. It is further submitted that the petitioner has apprehension that after the petitioner was thrown out of the house on 02.03.2020 her mother has been kept in illegal detention. By making reference to para 6 of the petition, it is submitted that the mother of the petitioner is being given mental and physical torture and is being given dangerous medicines and therefore the life of the mother is in danger.

On 11.06.2020, this Court appointed the CJM to submit a report regarding the health of the petitioner's mother and passed following directions:-

“In the peculiar facts and circumstances noticed above, the CJM, Hoshiarpur is directed to depute an officer who may take the doctor along; examine and

report regarding the health of petitioner's mother (detenue) and regarding the medicines being administered to her. He shall be at liberty to get the expenses of visit of the officer as well as of the doctor reimbursed from the legal aid agencies etc. The petitioner may be contacted at her mobile No.9855351953.

Let a report be submitted within 10 days from today.

Post on 03.07.2020."

The CJM, Hoshiarpur, has submitted his report dated 16.06.2020 along with copies of the statement.

At this stage, learned counsel for the petitioner submits that copy of the report and all the accompanying documents be supplied to him.

Counsel states that the petitioner intends to avail her remedy elsewhere in accordance with law including her remedy before the competent court of law under the Mental Disabilities Act.

In view of the above, this Court finds that no further orders are required to be passed in the present case.

Accordingly, the present criminal writ petition stands disposed of with liberty afore-mentioned.

At the same time, this Court would like to record appreciation for the CJM, Hoshiapur who has acted promptly on the request of the Court and had appointed his Reader along with the doctor to visit the ailing lady.

03.07.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No