

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

**CRWP No.3851 of 2020 (O&M)
DECIDED ON : 03.07.2020**

Gurmeet Kaur

...Petitioner

Versus

State of Punjab & Ors.

...Respondents

CORAM:- HON'BLE MR. JUSTICE GIRISH AGNIHOTRI.

Present:- Mr. AS Dhindsa, Advocate, for the petitioner.

GIRISH AGNIHOTRI, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Gurmeet Kaur, w/o late Karnail Singh has filed the present petition *inter alia* with a prayer to issue writ of Habeas Corpus for release of detainee Sony Khan, servant of the petitioner aged about 34 years s/o Sh. Hari Khan, r/o VPO Karhali, Tehsil and District Patiala.

Learned counsel for the petitioner based upon the pleadings submits that the detainee Sony Khan was illegally picked up by respondents No.3 and 4 on 16.06.2020 and till date, he has not been released nor produced before any court of law.

On 16.06.2020, notice of motion was issued for today i.e. 03.07.2020 and in compliance of the said order, the report of Warrant Officer has been received, which is reproduced hereunder:-

“In compliance with the orders dated 16.06.2020, passed by Hon'ble Mr. Justice Girish Agnihotri, the undersigned was appointed as Warrant Officer in the

above said case on 17.06.2020.

The undersigned along with Mrs. Nazirana Begam wife of Sh. Soni Khan and Sh. Sultan Ali son of Sh. Karam Din residents of VPO Dakala, District Patiala, Punjab reached at CIA, Patiala on 17.06.2020 at about 4.00 P.M. with regard to releasing Sh. Soni Khan, detenue mentioned in Crl. Writ Petition No.3851 of 2020 (O&M) from the illegal custody of respondent No.3 & 4. The undersigned along with Mrs. Nazirana Begam and Sh. Sultan Ali searched the Hawalat and all other rooms of the CIA, Patiala but Sh. Soni Khan was not found in the custody of police at the time of my visit. On asking, it has been stated by Sh. Shaminder Singh, SHO/Incharge that neither they have arrested Sh. Soni Khan nor required in any case/complaint and no case/complaint has been registered against him in the Roz Namcha of CIA, Patiala. In this regard, I have gone through the Roz Namcha, wherein nothing has been found registered against Sh. Soni Khan. Entry was made in the Roz Namcha, vide General Diary No.16 dated 17.06.2020 (Annexure 'R-1'). Statement of Sh. Shaminder Singh, SHO/Incharge of CIA, Patiala may kindly be perused at Annexure 'R-2'. The statement of Mrs. Nazirana Begam wife of Sh. Soni Khan and Sh. Sultan Ali son of Sh. Karam Din may kindly be perused at 'Annexure R-3'. Notice on behalf of respondent No.2 to 4 served to Sh. Sandeep Ghai, MHC/ASI of CIA, Patiala.

Hence after satisfaction of Mrs. Nazirana Begam wife of Sh. Soni Khan, detenue and Sh. Sultan Ali son of Sh. Karam Din the undersigned proceeded back to Chandigarh.

Report is submitted for kind perusal please."

In view of the above, after hearing both learned counsel for the parties, no further orders are called for.

The petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

03.07.2020
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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO