

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

CRWP-4622-2020

Date of Decision : July 13, 2020

Kuldeep Sharma

..... PETITIONER(S)

VERSUS

State of Punjab

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Received by E-mail.
 Mr. S.P.S. Tinna, Additional Advocate General, Punjab.

...

Sanjay Kumar, J.

This petition for a writ of *habeas corpus* was taken up *suo motu* on the strength of the communication dated 05.07.2020, sent by e-mail, by one Kuldeep Sharma, wherein he complained that his father, Narinder Kumar Sharma, had been forcibly taken away by the Station House Officer, Police Station City, Faridkot, and that he was being held in illegal custody.

On the last date of hearing, viz., 08.07.2020, this Court directed the Registry to depute a Warrant Officer to visit the Police Stations concerned to ascertain whether Narinder Kumar Sharma was being illegally detained in custody and if so, to get him released from such illegal detention.

Pursuant to the aforestated order, Resham Singh, Warrant

Officer, submitted report dated 10.07.2020, wherein he recorded that he

visited Police Station City, Faridkot, during the early morning hours at 1.00 AM on 09.07.2020 and was informed that Narinder Kumar Sharma had neither been arrested nor was he wanted in any case on the file of the said Police Station. He further stated that, upon the information furnished to him by the Munshi at that Police Station, he went to Police Station, Baja Khana, and was informed that Narinder Kumar Sharma had been arrested on 04.07.2020 from Faridkot in connection with FIR No. 63 dated 02.06.2015 registered on the file of Police Station, Baja Khana, under Sections 380, 295-A, 120-B and 201 IPC. The said individual was stated to be one of the named accused, along with four or five other persons, in an offence relating to the theft of Bir of the Guru Granth Sahib from a Gurudwara. The Warrant Officer further stated that Narinder Kumar Sharma was produced before the Court of the learned Duty Magistrate at Faridkot on the date of his arrest and was remanded to police custody for two days. He was then produced before the Court on 06.07.2020 and has been in judicial custody since then at the Central Jail at Bathinda.

In the light of the aforestated report of the Warrant Officer, it is clear that the detention of Narinder Kumar Sharma is not illegal, being traceable to FIR No. 63 dated 02.06.2015 and the proceedings relating thereto.

The writ petition is accordingly dismissed.

July 13, 2020
Kang

(Sanjay Kumar)
Judge

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