

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

**CRWP No. 4890 of 2020
DATE OF DECISION : 15.07.2020**

Rajwinder Kaur

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vishal Goel, Advocate,
for the petitioner.

Mr. H. S. Sitta, AAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

This is a petition for habeas corpus directing the respondents to release the detenu Yadwinder Singh, who is allegedly in illegal custody, by appointing Warrant Officer.

2. Learned counsel for the petitioner contends that son of the petitioner namely Yadwinder Singh (detenu) was working in the house of Dr.Surinder Singh Nanda, who lodged one FIR bearing No.120 dated 15.05.2020 under Sections 381/420/120-B IPC (Sections 411/419/465/467/468/471 IPC added later on) against the detenu and his wife alleging that they have stolen one cheque from his house and got the same encashed.

3. At the very outset, Mr. H. S. Sitta, AAG, Punjab, who has joined proceedings on service of advance copy of the petition, appears and objects to the maintainability of present petition. He submits, per instructions of ASI Baljinder Malhi-respondent No.3 herein, that pursuant to aforesaid FIR,

detention of petitioner's son i.e. Yadwinder Singh is absolutely in accordance with law.

4. Learned State counsel further submits that he has gone through the contents of the petition and strongly controverts the assertions made therein. He points out that the petitioner was arrested on 13.07.2020. In accordance with law, he was produced before the Duty Magistrate/Illaqa Magistrate on 14.07.2020 and is currently under police remand, pursuant to judicial orders passed by the Court.

5. In view of the aforesaid position explained by learned State counsel, there is no room for interference by this Court. The present petition is accordingly dismissed.

JULY 15, 2020

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Whether speaking/reasoned :

Whether reportable :

**(ARUN MONGA)
JUDGE**

Yes/No

Yes/No