

CRWP-7341-2020 (O&M)

Through Video Conference

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

**CRWP-7341-2020 (O&M).
Decided on: September 22, 2020.**

Charnjit Powari

.. Petitioner

VERSUS

State

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

PRESENT Mr.H.S. Sitta, Asstt. A.G, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition was taken up on the basis of Email received in the Registry of the High Court.

As per allegations, Sumit Kumar @ Sumit Banga @ Sumit son of Ram Lubhaya, resident of Guru Amardass Nagar Extension, Near Verka Milk Plant, Jalandhar, has been illegally detained by one Satnam Singh ASI, posted at Police Station, Division No.1, Jalandhar. On 9.9.2020 in FIR No.161 dated 8.9.2020 had been registered. It was further stated in the Email that offences were bailable in nature and even otherwise

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also said Sumit Kumar @ Sumit Banga @ Sumit, was enlarged on bail by the Court of learned JMJC, Jalandhar on 11.11.2020 but the ASI had illegally detained said Sumit Kumar @ Sumit Banga @ Sumit.

This Court had issued notice in the present case and directed for the appointment of the warrant officer. The Warrant Officer has submitted his report to this Court. It has been stated by the Warrant Officer that in compliance of order passed by this Court, he had visited the Police Station and searched the Police Station for the alleged detainee namely Sumit Kumar @ Sumit Banga @ Sumit, but he was not found in the custody of the police. He has further submitted in the report that he enquired from the police official as to why Sumit Kumar @ Sumit Banga @ Sumit was detained but the police official denied the allegations made in the Email and stated that said Sumit Kumar @ Sumit Banga @ Sumit was arrested on 9.9.2020 in FIR No.161 of 8.9.2020, under Sections 188/336 IPC, and 25/27/54/59 of the Arms Act, registered at Police Station, Division No.1, Jalandhar, and on 11.9.2020, he was granted bail by the learned JMJC, Jalandhar and he was released by the police authorities on 12.9.2020. It is further stated in the report of the Warrant Officer that the he made call to mobile number given in the complaint but the same was not reachable and then he called at mobile No.86449-29999 collected from the record which was of Ram Lubhaya father of the complainant who stated that his son was granted bail on 11.9.2020 and was released on 12.9.2020 from Jail and that he (Sumit) is in his house along with his family.

The aforesaid report of the Warrant Officer be placed on

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record at appropriate place by the Registry.

After perusing the report of the Warrant Officer and after giving my thoughtful consideration, since it has been informed by the Warrant Officer that alleged detainee was not found in the police station and the father of the alleged detainee had informed that said alleged detainee Sumit Kumar @ Sumit Banga @ Sumit, is in their house, no further proceedings are called for and required in the present case and therefore, the present petition is dismissed.

September 22, 2020.
raj arora

JASGURPREET SINGH PURI)
JUDGE

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