

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-8486-2020

Date of Decision: 27.10.2020

Paramjeet Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Ferry Sofat, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Petitioner-Paramjeet Kaur has filed the present criminal writ petition under Article 226 of the Constitution of India, for issuance of a roving writ in the nature of Habeas Corpus, directing the respondents to produce and release the detainee Kuljeet Singh, who happens to be son of the petitioner.

On 15.10.2020, this Court had passed the following order:-

“(The case has been taken up through video conferencing on account of Covid-19 Pandemic).

It has been stated that Kuljeet Singh S/o Jaswinder Singh, the alleged detainee is the son of the petitioner and he was confined in Central Jail, Bathinda in the case under NDPS Act. However, he was released on parole in the month of

February, 2020 for a period of 42 days and the same was being extended from time to time on account of Covid-19 Pandemic.

It has been stated that on 14.10.2020 at about 11.00 am, the alleged detainee left the house on the receipt of telephone call and has not returned back.

It has been stated by the learned counsel for the petitioner that at present as per the information received by him the detainee has been detained in the premises of CIA Staff, Bathinda.

Keeping in view the averments in the petition which is supported by affidavit, this Court finds its just and appropriate to appoint a Warrant Officer. The Registry is accordingly directed to appoint a Warrant Officer who shall visit the place as pointed out by the petitioner in order to locate the said detainee. If the Warrant Officer finds that the alleged detainee is in wrongful confinement he shall get him released forthwith. The fee of the Warrant Officer shall be fixed by the Registry to be paid by the petitioner. The Warrant Officer shall submit his report on or before the date fixed.

Adjourned to 27.10.2020.”

Pursuant thereto, Warrant Officer appointed by this Court has visited the CIA-I, Bathinda on 15.10.2020 at 10 AM as well as CIA Staff, Mansa, Punjab on 16.10.2020 at about 01.30 AM, so as to release the detainee mentioned in the Crl. Writ Petition, namely, Kuljeet Singh, but the detainee was not found present in the police custody.

Learned counsel for the petitioner submits that the petitioner has been arrested in FIR No.175 dated 14.10.2020 under Sections 21 and 25 of the NDPS Act, registered at Police Station City-I, Mansa.

Since the petitioner has been arrested in FIR No.175 dated

14.10.2020, no further action is required to be taken in the matter and the present criminal writ petition is accordingly dismissed as having been rendered infructuous.

October 27, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No