

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRWP No.9127 of 2020
Date of Decision.16.11.2020

Mamta ...Petitioner
Vs
State of Punjab ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Monika Jalota, DAG, Punjab.

:-

JAISHREE THAKUR J. (ORAL)

On receipt of application from Mamta wife of Manpreet Singh, resident of Village Sidhwan Dona, PS Sadar, Kapurthala with an allegation that her husband namely Manpreet Singh had been forcibly taken away by police officials of PS Sadar Kapurthala, the same has been entertained as writ of habeas corpus under Article 226 of the Constitution of India.

Notice of the said petition was issued to the State of Punjab and a reply was sought in the said matter.

Pursuant to the said notice, though the affidavit of the petitioner has not been received, however, affidavit of Gurdial Singh, Inspector/SHO, Police Station Sadar, Kapurthala on behalf of respondents No.1 to 3 has been filed stating therein that statement of the petitioner- Mamta has been recorded wherein she stated that police officials of PS Sadar Kapurthala never came to her home on 19.10.2020 nor her husband was taken away by them. She did not file any writ petition against the police officials of PS Sadar, Kapurthala nor instructed any counsel to do so. It is further stated that at the instance of one Hapreet Singh, an FIR No.195 dated 13.08.2020 under Section 379-B/34 IPC was registered against unknown persons and on his supplementary statement recorded on

27.08.2020, Manpreet Singh @ Money son of Major Singh i.e. husband of the petitioner herein was nominated vide Rapat No.37 dated 27.08.2020. During investigation, the mobile snatched from said Harpeet Singh by Manpreet Singh @ Money and other accused persons was recovered and consequently, Section 411 IPC was added in the aforesaid FIR. However, Manpreet Singh has been released on bail by the Court of Dr. Ram Kumar Singla, Additional Sessions Judge, Kapurthala vide order dated 17.09.2020.

I have heard learned counsel for the State and have also perused the affidavit as filed. In view of the statement made by the petitioner herein on 19.10.2020 that her husband was never taken away by the police officials of PS Sadar Kapurthala and he is residing at home with his family, no further orders are called for in the instant petition. However, the petitioner is at liberty to approach this Court again, should any grievance survive.

Disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

November 16, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No