

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

CRWP-333-2021(O&M)
Date of decision: 02.03.2021

Parvej Khan

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jamshed Ahmed, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG Punjab.

Mr. Deepinder Brar, Advocate for respondent No. 4.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed by the petitioner under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for the appointment of Warrant Officer and further directing respondents No. 2 and 3 to recover detinue Mahmud, who is alleged to be illegally detained by respondent No. 4-Sonu.

Learned counsel for the petitioner submits that petitioner is the owner of the truck in question and the driver Mahmud has been illegally detained by respondent No. 4-Sonu, Proprietor of M/s Vibhore Trading Company, Zira, District Ferozepur, since 05.1.2021. Learned counsel further submits that he has already approached the local police but his grievance has

not been redressed.

Short affidavit by way of affidavit dated 25.01.2021 of the Deputy Superintendent of Police, Sub-Division Jaitu, District Faridkot, submitted by the learned State counsel, is taken on record. As per the affidavit, the statement of the alleged detainee has been recorded, wherein he has stated that he along with his companion Rizwan has been staying at Rice Mill, village Matta for the last 8 days, since they had no money and could not go without truck. They are waiting for the owner of the truck.

Learned counsel appearing for respondent No. 4 submits that the petitioner was supposed to come and to pay the money and the alleged detainees were never illegally detained at any stage.

I have heard the learned counsel for the parties.

In view of the above, the present petition is disposed of, as no further orders are called for.

(HARNARESH SINGH GILL)
JUDGE

02.03.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No