

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRWP No.2138 of 2021
Date of Decision: 16.03.2021

Rani

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

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

Present:- None for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Article 226 of the Constitution of India is for issuance of a roving writ in the nature of *Habeas Corpus*, for appointing a Warrant Officer or issuance of directions to respondents no.1 and 2 to produce or release the alleged detainee namely Ravinder Bedi, who is brother of the petitioner and is in illegal custody of respondent no.3 since 27.02.2021.

This Court, vide order dated 02.03.2021, believing the version of the petitioner that her brother is in illegal custody, had issued notice of motion and appointed a Warrant Officer so as to get the alleged detainee released. Pursuant to the aforesaid order, the Warrant Officer along with the petitioner visited Police Station Tibba, Commissionerate, Ludhiana on 02.03.2021 at 07.53 p.m. At that time, the alleged detainee Ravinder Bedi

was present in *havalat* room of the Police Station Tibba. On enquiry,
ASHWANI KUMAR
2021.03.16 18:13
I attest to the accuracy and
authenticity of this document

Inspector/SHO Mohd. Jameel informed the Warrant Officer that the detinue Ravinder Bedi was arrested on 01.03.2021 along with Mohd. Nijant son of Mohd. Ansar in FIR No.42 dated 01.03.2021 under Section 473 IPC registered at Police Station Tibba, Commmissionerate, Ludhiana. He further informed that the accused were produced in the Court of Judicial Magistrate Ist Class, Ludhiana on 02.03.2021, where the concerned Court ordered police remand of accused for one day. The report of the Warrant Officer is taken on record.

Reply by way of affidavit of Devinder Kumar, PPS, Assistant Commissioner of Police (East), Ludhiana, on behalf of respondents no.1 to 3, filed in Court, is also taken on record.

As per the reply, the brother of the petitioner (the alleged detinue) along with his co-accused were apprehended during a *Nakabandi* and it was found that they were having fake number plate i.e. PB-10EW-3519 on the motorcycle. Accordingly, the brother of the petitioner was arrested. Thus, on the date on which this Court had appointed a Warrant Officer, the petitioner was already arrested and FIR was registered against him.

In view of the report submitted by the Warrant Officer as well as the reply filed by Assistant Commissioner of Police (East), Ludhiana, this Court finds no merit in the present petition and the same is hereby dismissed.

March 16, 2021
AK

(**HARI PAL VERMA**)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No