

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

122

CRWP-2649-2021

Date of decision: 23.03.2021

Pargat Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Mukesh Singla, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab
for respondents No.1 to 3.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner filed the present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for release of detenue-Manjinder Singh by appointment of a Warrant Officer with roving writ to search and get the detenue released from the illegal detention of respondents No.2 and 3.

In view of the submissions made by learned Counsel for the petitioner that detenue-Manjinder Singh had been illegally taken away by respondent No.2 at the instance of respondent No.4, vide order dated 16.03.2021 Warrant Officer was appointed to search the premises of Police Station, Bharowal, Tehsil and District Tarn Taran or any other place to be pointed out by the petitioner.

In compliance with order dated 16.03.2021 Warrant Officer has submitted his report in sealed cover which is opened in the Court.

In his report, Warrant Officer has submitted that Sh.Balwinder Singh SHO (Inspector) informed him that detenue-Manjinder Singh had been arrested in case FIR No.21 dated 15.03.2021 registered under Section 365 of the Indian Penal Code, 1860 in Police Station Bharowal, District Tarn Taran and had been produced before the Court and was remanded to seven days police custody. Copies of the DD reports registered in this regard have been attached by the Warrant Officer with his report.

Learned State Counsel has also submitted that the present petitioner has also been arrested in the same FIR along with Nirmal Singh on 17.03.2021.

Learned Counsel for the petitioner has submitted that detainee-Manjinder Singh was illegally arrested by the Police on 14.03.2021 and was illegally detained.

Detainee-Manjinder Singh shall be at liberty to take appropriate proceedings in accordance with law for redressal of his grievances regarding his alleged illegal arrest and detention on 14.03.2021.

Since detainee-Manjinder Singh cannot now be said to be in illegal custody of police, no further proceedings are required to be taken on the present habeas corpus petition which is disposed of accordingly.

23.03.2021

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(ARUN KUMAR TYAGI)
JUDGE

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