

225

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

CRWP-2881-2021

Date of Decision: 22.03.2021

Harbhajan Singh Dhillon

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Satbir Singh Gill, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This Habeas Corpus petition was filed for release of detinue namely Kulwant Kaur. It is pleaded that the house of the petitioner was raided on 20th March, 2021 at 9:00 A.M. and police party headed by ASI Prabhjit Singh, Police Station Berowal, District Tarn Taran had taken the detinue.

The cause behind the alleged police action was that son of the detinue had eloped with the wife of the complainant alongwith her minor daughter.

Notice of motion was issued on 21st March, 2021. Learned State counsel was asked to take instructions. On the same very day, learned State counsel informed that the petitioner was not involved or required in any case. She sought time to have instructions from the Senior Superintendent of Police, Tarn Taran.

Today, learned State counsel on instructions from Mr. Sucha Singh, Deputy Superintendent of Police, Tarn Taran, submits that detenue came to the police station on 20th March, 2021 to enquire about her son. It is informed that she left the police station at about 6:00 P.M. alongwith Sukhwinder Singh (brother-in-law of the petitioner).

Learned counsel for the petitioner submits that daughter of the petitioner has received a phone call from the detenue that she is at present in the house of nephew of the petitioner. He further submits that she is being kept by the nephew at the instance of police officials.

The bald statement made by learned counsel for the petitioner cannot be accepted. It is the fact to be noted that no complaint has been made by the petitioner against his nephew. The facts now being argued by learned counsel for the petitioner are disputed.

No further orders are called for.

The petition is disposed of as infructuous.

However, the petitioner would be at liberty to avail remedies in accordance with law for redressal of the surviving grievance.

[AVNEESH JHINGAN]
JUDGE

22nd March, 2021

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |