

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

**CRWP-3621-2020 (O&M)
Date of Decision: 17.02.2021**

ANKUSH DODA

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: None for the petitioner.

Mr. B.S. Sewak, Addl. A.G. Punjab.

Mr. H.P.S. Rahi, Advocate
for the Intervener

SUDIP AHLUWALIA, J. (ORAL)

1. Record shows that even on the last date of hearing Ld. Counsel for the petitioner had not responded to the Whatsapp call made to him after he had not joined on Video Conferencing.

2. On perusal of the reply filed on behalf of the State which is dated 18.08.2020 supported by the affidavit of the Deputy Superintendent of Police, Sub-Division, Abohar, District Fazilka, it transpires that the alleged detenues are living at some unknown place on their own accord, and that they are in contact with the petitioner Ankush Doda and have informed the Police Authorities telephonically that they did not require and help from any quarters as they were safe and sound.

Subsequently, the petitioner has chosen to absent from the proceedings

while Simranjeet Kalra, husband of the alleged detainee No.1 has appeared and seeks custody of the detainee No.2 being her natural guardian.

3. This Court is unable to concede to such prayer at this stage because the detainee No.2 in any case also appears to be in custody of her mother who as well happens to be her natural guardian, and, in any case, whereabouts of both alleged detainees are not known even to the Police Authorities.

4. For the aforesaid reasons, the Court has no other option but to dismiss the original writ petition for non-prosecution as also the application of the intervener, who is however within his right to seek his relief which he claims by availing of appropriate remedies in accordance with law.

5. Dismissed.

17.02.2021

sangeeta

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No