

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

CRWP-711-2018 (O&M)

Date of decision: 23.08.2021

Manjit Kaur and another

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mohit Sadana, Advocate, for the petitioners.

Mr. H. S. Sitta, AAG Punjab.

Mr. Sarabjit Singh, Advocate, for respondents No.4 and 5.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Instant criminal writ petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of habeas corpus to produce detainee-Surjit Singh, who is alleged to have been illegally detained by respondents No.4 and 5, i.e. Charanjeet Singh and Kashmir Kaur, brother and sister-in-law of the detainee.

Learned counsel for the petitioners submits that Surjit Singh was a member of a group of *Nihangs* and in May-2018; that he left the said group and since then he had been residing with respondent No.4; that he being unmarried was selling his land in small pieces and giving the money

received therefrom to respondents No.4 and 5 and that after sale of the said land, he has been missing.

The status report dated 30.08.2019 filed by the State and the reply filed by the learned counsel for respondents No. 4 and 5, are already on record.

As per the status report dated 30.08.2019, FIR No.88 dated 01.08.2018, under Sections 365/120-B IPC, Police Station Bhindi Saidan, Amritsar Rural, has already been registered on the complaint of petitioner No.1-Manjit Kaur against respondents No.4 and 5. The said respondents, after grant of bail in the said case, were thoroughly interrogated by the Police but no clue regarding the whereabouts of the detainee could be found out.

Learned counsel for respondents No. 4 and 5 submits that the alleged detainee-Surjit Singh is the real brother of the petitioners as well as respondent No.4, whereas respondent No. 5, wife of respondent No.4, is the sister-in-law of the detainee. He further submits that respondents No. 4 and 5 had filed CRM-M-28540-2018 for issuance of direction to respondent No. 2 for protection of their life and liberty at the hands of private respondents No. 8 to 10 therein. The said petition was dismissed by a Coordinate Bench, vide order dated 31.01.2019, as FIR No.88 dated 01.08.2018, aforesaid stood already registered against them.

I have heard the learned counsel for the parties.

From the documents on record and the rival contentions of the parties, it transpires that there is a family dispute between the parties. The petitioners as well as respondents No.4 and 5 are closely related to Surjit

Singh-detinue. The Police has already registered an FIR regarding missing of the detenue and the investigation is still going on. Therefore, this Court does not find any justified ground to continue with the present case.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

23.08.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No