

Sr.No.223

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

**CRWP-8329 of 2020
Date of decision:06.01.2021**

Muskan

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Luvinder Sofat, Asst.AG, Punjab.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Article 226 of Constitution of India with a prayer to issue a writ in the nature of habeas corpus directing respondents No.1 and 2 to release the detainee namely, Jaspal son of Girdhari Lal as they have been illegally detained by the police.

On 10.10.2020 Warrant Officer was appointed by this Court to search the premises of the police station and thereafter, report of the Warrant Officer has been filed before this Court.

As per the Report of Warrant Officer Jaspal the alleged detainee was standing outside the police station and he was not detained by the police. Respective statements of Jaspal and the petitioner were also recorded which have become a part of the Report of the Warrant Officer. Similarly, reply has also been filed by the State in this regard.

Learned counsel for the petitioner has submitted that he has

gone through the Report of the Warrant Officer as well as the reply filed by the State of Punjab and in view of the fact that the petitioner is not in illegal detention of the police, therefore, he does not wish to press the present petition.

However, learned counsel for the petitioner has submitted that since the police is torturing the petitioner and her husband, she is to take the appropriate remedy in the course of law.

Needless to say that in case the petitioner has any grievance against the police then the petitioner can always adopt the normal course of law and in accordance with law.

In view of the above and statement made by learned counsel for the petitioner that he does not wish to press the present petition, the present petition is hereby dismissed.

6th January, 2021

Shivani Kaushik

[JASGURPREET SINGH PURI]

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No