

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

112

**CRWP-8711 of 2021
Date of Decision : 14.09.2021**

Sushil Kumar

..Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Reenu Arora, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. N.S. Sodhi, Advocate for private respondents.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed alleging that the wife as well as daughter of the petitioner are being kept in illegal custody by the respondents No.3 to 5 and the alleged detainees be released from their custody.

On 10.09.2021, the following order was passed by this Court:-

“Present petition has been filed by the petitioner with the allegation that his daughter and wife namely Preeti and Payal respectively, have been detained in illegal custody by respondents No. 4 and 5 as they were picked up from their house on the intervening night of 07/08.09.2021 and that too without assigning any reason for the same.

Learned counsel for the petitioner submits that even the petitioner was not allowed to come out of the house by the police until yesterday evening. Learned counsel for the petitioner further submits that the alleged detenue Preeti is a gang rape victim and is now being harassed by the police on the asking of the accused so as to restrain her from giving her testimony.

Learned counsel for the petitioner prays that alleged detenues namely Preeti and Payal be got released from the illegal custody of respondents No. 4 and 5.

Keeping in view the facts recorded hereinbefore, Registry is directed to appoint Warrant Officer so as to visit the Police Station Division No. 2 and 5, Jalandhar in order to ascertain the fact whether, the alleged detenues namely Preeti and Payal, wife and daughter of the petitioner, have been kept in illegal custody at the said place or not.

In case, the alleged detenues are found at any of the police station, they be got released forthwith.

Further, the Warrant Officer so appointed will be at liberty to visit a place, which might be pointed out by the petitioner where, the petitioner is of the opinion that the detenues might be kept. The Warrant Officer so appointed shall submit a report before this Court on or before the next date of hearing.

Fee of the Warrant Officer shall be paid by the petitioner along with the expenses incurred.

Adjourned to 14.09.2021.”

Report of the Warrant Officer has been received, wherein, it has been mentioned that none of the detenues were present in the Police Station Division Nos.2 and 5. The report further states that both the alleged detenues were arrested in FIR No.133 dated 13.04.2021 registered under Sections 21, 61 and 85 of the Narcotic Drugs and Psychotropic Substances

Act, 1985 and Sections 25, 54 and 59 of the Arms Act, 1959 at Police Station Kharar.

Faced with this situation, learned counsel for the petitioner submits that she does not wish to press the present petition any further and the same may be disposed of as such.

Ordered accordingly.

September 14, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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