

212.

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

CRWP-9026-2020

Date of Decision: 26.11.2021

KAMALJIT KAUR

.... Petitioner

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunil Kumar Rana, Advocate,
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR.J (Oral)

The present criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of a roving writ in the nature of habeas corpus and for appointing a Warrant Officer to visit the premises of respondents No.3 and 4 and to release the detainee Palvir Singh i.e. the son of the petitioner from the illegal custody.

Reply has been filed in which it has been stated that the Warrant Officer, as appointed, submitted that the detainee was found sitting in the room of the MHC of the Police Station and that the alleged detainee had come to the Police Station, Dakha on his own.

Pursuant to the reply having been filed, a Coordinate Bench of this Court had directed the Inspector General of Police, Ludhiana Range by an order dated 05.11.2020 to look into the issue as to how the son of the

petitioner had been found at the Police Station, Dakha when there were allegations that he would be in the custody of the private respondents.

The matter has been enquired into as would be evident from the affidavit dated 12.12.2020 filed by Naunihal Singh, IPS, Inspector General of Police, Ludhiana Range, Ludhiana who has looked into the matter and has also gone through the CCTV footage installed in Police Station, Dakha which leaves no scope of doubt that the alleged detainee was neither brought to the Police Station nor kept in illegal detention and in fact came to the police station on 01.11.2020 at 10:3:43 AM and that the Warrant Officer had reached the police station later. Based on the enquiry, the I.G. is satisfied that the detainee had not been kept in illegal detention at the Police Station. The affidavit filed is accepted and as the detainee was not in any illegal confinement, this petition is disposed of as having rendered infructuous.

(JAISHREE THAKUR)
JUDGE

26.11.2021

sanjeev	Whether speaking/reasoned:	Yes/No
	Whether Reportable:	Yes/No