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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-823-2019

Date of Decision: 19.08.2021

Karamjit Kaur

.. Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

This criminal writ petition has been filed under Article 226 Constitution of India for issuance of a writ in the nature of habeas corpus to get release detenu Satvir Singh (son of the petitioner), who is in illegal custody of respondent Nos.3 and 4.

On 18.09.2019, the following order was passed by this Court:

“Petitioner-Karamjit Kaur has filed the present petition seeking issuance of writ in the nature of habeas corpus for release of detenue Satvir Singh (her son), who is illegally detained by respondent Nos.3 and 4. Prayer has also been made to appoint a Warrant Officer to visit the spot.

Heard.

Notice of motion.

Keeping in view the averments in the petition, which is supported by affidavit of Karamjit Kaur-petitioner, this Court finds it just and appropriate to appoint a Warrant Officer. The Registry is accordingly directed to appoint a Warrant Officer, who shall visit the place(s) as pointed out by the petitioner in order to locate the said detenue. If the Warrant Officer finds that the alleged detenue is in wrongful confinement of respondent Nos.3 and 4, he shall get him released forthwith. The fee of the Warrant Officer shall be fixed by the Registry to be paid by the petitioner. The Warrant

Officer shall submit his report on or before the next date of hearing.

List on 23.09.2019.”

Learned State counsel has referred to the reply filed by way of affidavit of Sukhjit Singh Virk, PPS, Deputy Superintendent of Police, Sri Chamkaur Sahib, District Rupnagar, Punjab and submits that the husband of the petitioner, namely, Swaran Singh is an accused in FIR No.60 dated 24.05.2019, registered under Sections 420, 465, 467 and 120-B IPC at Police Station Sri Chamkaur Sahib, District Rupnagar and is evading his arrest.

It is mentioned that the petitioner was never pushed and beaten up by respondent No.4 and detenu Satvir Singh never met him at the time of raid. It is the stand of the official respondents that the son of the petitioner (Satvir Singh) was never taken into custody.

Further a request dated 18.09.2019 was received on behalf of the learned counsel for the petitioner that as the son of the petitioner is released, therefore, there is no necessity to appoint the Warrant Officer.

Considering the above background, this Court is of the opinion that nothing survives for adjudication in this case.

Disposed off as infructuous.

19.08.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No