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

CRWP-669-2022 (O&M)

Date of decision : 01.02.2022

Gurprinder Singh

...Petitioner

Versus

Union Territory of Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mayur Karkra, Advocate for the petitioner.

Mr. J.S. Toor, Addl. PP UT Chandigarh.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

On 21.01.2022, this Court was pleased to pass the following
order:-

“This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for appointment of Warrant Officer to search and release the alleged detenue who has been named in the headnote of the petition and is stated to be illegally confined by respondent Nos.4 to 7 since 19.01.2022 in spite of the fact that the said detenue is not involved in any criminal case.

Notice of motion for 01.02.2022.

In the meantime, Registry is directed to appoint a Warrant Officer today itself who will visit the place of detention of the detenue or any other place which may be pointed out by the petitioner. In case, the Warrant Officer finds the detenue, then the Warrant Officer would see as to

whether the said detenue is in illegal custody or he is there out of his own choice. In case, the Warrant Officer finds that the detenue is in illegal custody, then he will get the said detenue released. For the said purpose, the Warrant Officer, if deems necessary, can also take the assistance from respondent No.3-Senior Superintendent of Police, Chandigarh and respondent No.3-Senior Superintendent of Police, Chandigarh is directed to provide full assistance to the Warrant Officer in case he approaches them.

The remuneration of the Warrant Officer shall be borne by the petitioner as per the norms.

The Warrant Officer would submit his report on or before the next date of hearing.”

In pursuance of the abovesaid order, the Warrant Officer has submitted his report dated 24.01.2022. The same is taken on record. As per the said report, it has been observed that SHO had stated that they had not arrested the detenue Amarjit and that he is not required in any other case.

Learned counsel for the petitioner has submitted that since detenue Amarjit Singh is not required in any other case and is not in illegal confinement, thus, the present petition is rendered infructuous.

Keeping in view the abovesaid facts and circumstances, the present petition is disposed of as having been rendered infructuous.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order.

01.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No