

123 IN THE HIGH COURT OF PUNJAB AND HARYANA

 AT CHANDIGARH

CRWP No.1875 of 2022
Date of Decision: 02.03.2022

Satendra Singh

...Petitioner

Versus

The State of Punjab & others

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aditya Partap Singh, Advocate
 for the petitioners.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

ANOOP CHITKARA, J.

Seeking release of detenus, the petitioner has come up before this Court under Article 226 of the Constitution of India.

Notices served upon the official respondents through the State's counsel. Given the nature of the order, this Court proposes to pass, neither the response of official respondents is required nor exists any requirement to issue notices to the private respondents.

The details of the alleged detenus is given in paragraph no.2 of the petition, who are 38 in number.

The above-mentioned allegations, *prima facie* points towards some restrain. Given above, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Sub Divisional Magistrate, either on its own or through warrant officer or any other officer authorized by DM/SDM, must visit the place of detention and, if the persons are found to be in illegal custody, ensure immediate release, subject to verification, that there are no *mala fide* intentions and the custody is *bona fide*, apart from other aspects. If such an officer needs police assistance, then the SHO of the concerned police station(s) shall provide it.

This petition is closed. The aforesaid directions be complied with on priority. It is clarified that there is no adjudication on merits. It is also clarified that this order is not a

blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the detenu is required in any cognizable case. It shall also be open for the petitioner to approach this Court again for any surviving grievance.

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

March 02, 2022
AK

Whether speaking/reasoned: Yes
Whether reportable: No.