

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

210

CRWP-2804-2021

Date of Decision: 05.04.2022

Mohinder Singh and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: None for the petitioners.

Mr. Pankaj Gupta, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

This petition under Article 226 of the Constitution of India is for issuance of a writ in the nature of Habeas Corpus for appointment of Warrant Officer to get detinue Harinder Kaur, daughter of petitioner No.1 and sister of petitioner No.2, released from illegal custody of private respondents.

Notice of motion was issued on 18.03.2021 and status report dated 23.03.2021 by way of affidavit of Gurvinderpal Singh, PPS, Deputy Superintendent of Police, Sub Division Banga, District S.B.S. Nagar, was filed on behalf of respondent-State.

As per status report dated 23.03.2021, Harinder Kaur (alleged detinue herein) had filed an affidavit with the police *inter alia* stating therein that she is major and had left her parental home on 09.03.2021 under her full senses and without any kind of pressure from anyone and she is residing with respondents No.4 to 6 with her own will and she has no danger

Pursuant to order dated 07.02.2022 passed by this Court, record of CRWP No.2667 of 2021 was requisitioned. Perusal of the same reveals that the said petition was filed by Harinder Kaur, aged 25 years (alleged detainee herein) and Tushar, aged 19 years (respondent No.4 herein) seeking directions to official respondents to protect their life and liberty at the hands of respondents (petitioners herein). The said petition was disposed of by this Court, vide order dated 17.03.2021 by passing following order:

“.... Having considered the submissions made by learned counsel for the petitioners and perusal of record, respondent No.2-Senior Superintendent of Police, Hoshiarpur, Punjab, is directed to consider the representation dated 05.03.2021 (Annexure P/3) and issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

However, it is also made clear that this order shall not be taken to entitle the petitioners for any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. In case, the petitioners had committed any offence, the law will taken its own course.”

Today, despite the fact case has been called out twice, there is no representation on behalf of petitioners.

It is pertinent to mention here that on the last three dates of hearing i.e. on 23.11.2021, 07.02.2022 and 02.03.2022, no one had put in appearance on behalf of petitioners. It appears that in view of the position explained in the status report dated 23.03.2021 filed by respondent-State, petitioners are not interested to pursue the matter further.

In view of above, instant petition is dismissed for want of prosecution.

(LALIT BATRA)
JUDGE

05.04.2022

Varinder Prashad

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No