

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRWP-3261-2022

Date of Decision : April 12, 2022

Pavitar Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. R.K.S. Brar, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed seeking a writ in the nature of Habeas Corpus so as to get the alleged detainee namely Jassi Kaur released from the illegal detention of respondent No.4.

On the last date of hearing, a Coordinate Bench of this Court passed the following order:-

“ This is criminal writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus for release of the alleged detainee namely Jassi Kaur aged about 18 years daughter of petitioner, who is alleged to be in illegal custody of respondent No.4.

Notice of respondents No. 1 and 2.

Keeping in view the fact that Jassi Kaur is stated to be illegally confined by respondent No.4, the Registry is directed to appoint warrant officer, who shall search for the

whereabouts of alleged detenue at the address mentioned in the petition or at any place(s) as may be indicated by the petitioner and if the alleged detenue is found to be in illegal custody of respondent No.4, she shall be got released forthwith and her custody be handed over to the petitioner Pavitar Singh till the next date of hearing. The fee of warrant officer shall be determined by the Registry as per Rules and borne by the petitioner. The report of warrant officer be placed on record on the next date of hearing.”

Report of the Warrant Officer appointed by this Court is as under:-

“ In compliance with the orders dated 07.04.2022, passed by Hon'ble Mr. Justice Karamjit Singh, the undersigned was appointed as Warrant Officer in the above said case on 07.04.2022.

As desired by the concerned advocate of the petitioner Sh. Pavitar Singh, the undersigned along with Sh. Nirmal Singh, real uncle of the detenue and Sh. Rashpinder Singh, cousin brother of the detenue reached at Police Station Naya Gaon, District Mohali, Punjab on 07.04.2022 at about 08:55 P.M., and the matter was discussed with Sh. Ajitpal Singh, SHO. Entry was made in the Roz Namcha on Computer, vide General Diary No.025 dated 07.04.2022 in the said police station (Annexure 'R-1'). Thereafter, as desired by the relatives of the detenue, the undersigned along with police party Sh. Bishan Dass, ASI and Sh. Jatinder Kumar, Constable conducted raid at many hotels situated at Naya Gaon, District Mohali but the detenue namely Ms. Jassi Kaur has not been found there. Thereafter, Sh. Nirmal Singh, real uncle of the detenue and Sh. Rashpinder Singh, cousin brother of the detenue have given their joint statement that they are not interested to conduct raid at any other place in this case and also requested that the notice of respondent no.2 (i.e

Superintendent of Police Sirsa, District Sirsa) may not be served. The joint statement of Sh. Nirmal Singh, real uncle of the detenue and Sh. Rashpinder Singh, cousin brother of the detenue may kindly be perused at (Annexure 'R-2'). Hence after satisfaction of the relatives of the detenue the undersigned proceeded back to Chandigarh. Unserved notice of respondent No.2 is enclosed herewith.

Report is submitted for kind perusal please.”

Keeping in view the above, no further orders are required to be passed in the present petition especially when there is no representation on behalf of the petitioner so as to press the prayer.

The present petition is disposed of in above terms.

April 12, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No