

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-3463-2022
Date of decision : 24.05.2022

Ranjit Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: None for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a criminal writ petition under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of habeas corpus, for release of detenue, mentioned in the head note of the petition.

On 15.04.2012, this Court was pleased to pass the following order:-

“This is a Criminal Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus, for release of two detenues, whose names have been mentioned in the headnote of the petition, and who are stated to be related to the petitioner and are allegedly in the illegal custody of respondents No.3 to 7. A further prayer has been made to appoint a Warrant Officer for affecting the release of the said detenues.

It is the case of the petitioner that FIR No.84 dated 14.04.2022 was registered against ten persons, who were related to the petitioner, but the alleged detenues were not accused in the said FIR and the detenues are not involved in any other criminal case and yet respondents No.5 and 6 along with other police officials conducted a raid at the house of the detenues in order to

search for accused Jatinder Singh @ Shera and Ranjit Kaur @ Renu at about 9.30-10.00 pm and had taken the alleged detenues in illegal custody in order to pressurize the petitioner to tell about the whereabouts of the said accused Jatinder Singh @ Shera and Ranjit Kaur @ Renu.

Notice of motion for 25.04.2022.

In the meantime, Registry is directed to appoint a Warrant Officer today itself who will visit the place of detention of the detenues or any other place which may be pointed out by the petitioner. In case, the Warrant Officer finds the detenues, then the Warrant Officer would see as to whether the said detenues are in illegal custody or not. In case, the Warrant Officer finds that the detenues are in illegal custody, then he will get the said detenues released. For the said purpose, the Warrant Officer, if deems necessary, can also take the assistance from respondent No.2-Senior Superintendent of Police, Kapurthala, District Kapurthala and respondent No.2-Senior Superintendent of Police, Kapurthala is directed to provide full assistance to the Warrant Officer in case he approaches him.

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.

April 15, 2022

*(VIKAS BAHL)
JUDGE”*

In pursuance of the said order, the report of the Warrant Officer has been submitted in a sealed cover and the same has been opened. The report has been perused. A perusal of the report would show that the Warrant Officer along with the petitioner had reached CIA Staff Kapurthala on 16.04.2022 at 12:35 AM and the detinue was not found there. Thereafter as desired by the petitioner, Warrant Officer along with the petitioner had even reached at Police Station City Kapurthala, Punjab, on 16.04.2022 at about 2:20 AM where again the detinue was not found. It is further mentioned in the report that the petitioner has stated that she does not want

to conduct further raid at any other place and after the satisfaction of the petitioner, the Warrant Officer proceeded back to the Chandigarh.

None has appeared on behalf of the petitioner to further pursue the present matter.

Keeping in view the above said facts and circumstances and also the report of the Warrant officer, the present petition is disposed of as having been rendered infructuous.

In case any cause of the petitioner still survives, it will be open to the petitioner to file a fresh petition.

(VIKAS BAHL)
JUDGE

May 24, 2022
Davinder Kumar

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