

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CRWP-4453-2022(O&M)

Date of Decision:13.05.2022

Ramesh Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Navraj Singh, Advocate,
for the petitioner.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

The instant criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus for appointment of a Warrant Officer seeking recovery and production of the alleged detainee, namely, Neha.

The petitioner claims to be father of Neha(the alleged detainee) and submits that respondent No.4 was already married to one Usha Rani, daughter of Pritam Chand and that despite the same, his daughter has forcibly been taken by the said respondent.

Apparently, the averments made in the instant petition do not inspire enough confidence inasmuch as the petition is deficient on material particulars. So much so, the petitioner despite being a father has not taken even the initial steps of approaching the concerned District Administration

and has chosen to file the instant petition raising vague apprehension and unsubstantiated concerns. Even though it is alleged in the petition that the petitioner has approached the police, however, there is no document to substantiate the same in the form of any application claimed to have been submitted by the police, the person with whom the petitioner allegedly met, the time when he approached the police station, the reason he chose not to approach the higher police officials which clearly reflects that the true genesis of the occurrence and manner of the incident are concealed or have been mis-stated.

In the said circumstances, I do not deem it appropriate, at this stage, to direct or appoint any Warrant Officer, however, taking into consideration the fact that an FIR into the incident has already been registered by the police thereafter on 08.05.2022, it cannot be said that the police has not taken any action at all.

In this view of the matter, learned counsel appearing on behalf of the petitioner does not press the instant petition, at this stage.

Dismissed as not pressed.

May 13, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No