

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

CRWP-8509-2022

Date of Decision : 06.09.2022

Surinder Saini

.....Petitioner

Versus

State of Punjab and others

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Aditya Dassaur, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

PANKAJ JAIN , J(ORAL)

The petitioner has preferred the instant writ petition under Article 226 of the Constitution of India, seeking a writ of Habeas Corpus with a roving writ against illegal detention of detenue Rakesh Kumar son of Joginder Pal Saini.

Pursuant to order dated 02.09.2022, Warrant Officer has filed his report wherein it has been submitted as under:-

“Accordingly, I, accompanied with the petitioner & his Brother in Law proceeded for Police Station, Sujanpur, District Pathankot. We reached outside the gate of Police Station and knocked the door of the Police Station and Som Raj (PHG1004) opened the door. I disclosed my identity. We entered in the Police Station where duty officer ASI Baldev Singh was present. I disclosed my identity & purpose of visit to him. I asked about the arrest of Rakesh Kumar S/o Joginder Pal Saini. In the meanwhile, Night Munshi, H.C. Manpreet Singh (1266PTK) also reached there. He said that

Rakesh Saini has been arrested in case FIR No.115 dated 30.08.2022 u/s 15-16-85 NDPS Act Police Station Sujanpur, District Pathankot, who is locked up in police remand for 02 days. He (munshi) supplied a copy G.D.No.004 dated 02.09.2022 (Annexure-A) regarding arrest of the detenue. Thereafter, computer operator prepared a report entered against G.D.No.003 dated 03.09.2022 (Annexure P-B), at 00:16 HRS regarding my visit to Police Station, Sujanpur, District Pathankot, by stating that Rakesh Saini has been arrested in the FIR u/s 15-16-85 NDPS Act after adding u/s 29-61-85 NDPS Act and he is on 02 days police remand. After receiving the DDR copy, we came out from the Police Station and I reached my residence at around 05:30 AM on 03.09.2022.

In view of the aforesaid report, nothing remains to be adjudicate. Therefore, the present petition has become infructuous and is disposed of as such.

06.09.2022
mamta

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No