

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

**CRM-M No. 40554 of 2022(O&M)  
Date of decision : September 21, 2022**

**Jagjit Kaur**

**..... Petitioner**

**Versus**

**State of Punjab and others**

**..... Respondents**

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN**

**\*\*\***

Present :- Mr. Ranjan Lakhanpal, Advocate  
for the petitioner.

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**PANKAJ JAIN, J. (ORAL)**

This is a petition filed under Section 482 Cr.P.C seeking mandamus to the respondents that safety of the petitioner's son Kanwalpreet Singh be ensured.

Learned counsel for the petitioner submits that the petitioner's son Kanwalpreet Singh is lodged in Central Jail, Tarn Taran at present. It is further prayed that whenever Kanwalpreet Singh is to be produced in any court or police station, the petitioner be informed in writing.

On the last date of hearing, learned counsel for the petitioner was put a specific query as to show some bare provision of law which recognizes such right vested in the petitioner which is sine qua non to issue such direction. Today, learned counsel for the petitioner has relied upon the judgment passed in **D. K. Basu, Vs. State of West Bengal in Writ Petition (Crl.) No. 592 of 1987** decided on 18.12.1996 wherein the Apex Court

while dealing with the cases of arrest/detention order following preventive measures to be taken:

*“(2) That the police officer carrying out the arrest of the arrestee shall prepare a memo of arrest at the time of arrest a such memo shall be attested by atleast one witness, who may be either a member of the family of the arrestee or a respectable person of the locality from where the arrest is made. It shall also be counter signed by the arrestee and shall contain the time and date of arrest.*

*(3) A person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock-up, shall be entitled to have one friend or relative or other person known to him or having interest in his welfare being informed, as soon as practicable, that he has been arrersted and is being detained at the particular place, unless the attesting witness of the memo of arrest is himself such a friend or a relative of the arrestee.*

*(4) The time, place of arrerst and venue of custody of an arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the legal Aid Organisation in the District and the police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest.”*

I have heard learned counsel for the petitioner and have gone through the judgment cited i.e. rendered in **D. K. Basu's case (supra)**.

No case is made out in favour of the petitioner which warrants that she is entitled for prior information that too in writing with respect to production of accused Kanwalpreet Singh in the court as prayed for. Regarding safety, this Court is sanguine that the authorities will assess threat to the life of the son of petitioner and take necessary measures in

accordance with law.

No ground is made out to exercise jurisdiction under Section  
482 Cr.PC.

Consequently, the present petition stands dismissed.

( PANKAJ JAIN )  
JUDGE

September 21, 2022  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |