

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

CRWP-10496-2022

Date of Decision: 07.12.2022

Bittu

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: None for the petitioner.

Mr. Harjinder Singh, AAG, Punjab.

HARSH BUNGER J. (ORAL)

Present petition is filed under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature of Habeas Corpus and appointment of a warrant officer to search the detenues, namely Shivani w/o Sonu Kumar, Sachin s/o Harpal, Babita w/o Sachin, Shivam s/o Sachin, Sukanya d/o Sachin, Sonu Kumar s/o Kiran Pal, Shivani w/o Sonu, Prince s/o Sonu, Monu s/o Kiranpal, Rita w/o Monu, Nisha w/o Monu, Ronak d/o Monu, Arushi d/o Monu, Vikas s/o Harpal, Neetu w/o Vikas, Hans s/o Vikas, Badal s/o Harpal, Komal w/o Badal, Harpal s/o Hrachain, Shitlo w/o Harpal, Arti d/o Harpal, Madhu d/o Harpal, Tanu d/o Harpal, Mandeep s/o Harpal, Sawan s/o Harpal and Chhota s/o Budhu, as mentioned in paragraph No.4 of this petition, from the illegal custody of respondents No.4 to 6.

On 04.11.2022, notice of motion was issued in this case and respondent No.3 – Senior Superintendent of Police, Gurdaspur was directed to look into the matter and file status report. Pursuant to the said order, status report by way of affidavit dated 08.11.2022 of Mr. Deepak Hilori, IPS, Senior Superintendent of Police, Gurdaspur (respondent No.3) was filed in Court on 09.11.2022, which was taken on record. However none had appeared on behalf of the petitioner on the said date, therefore, it was directed that learned counsel for the petitioner be notified of the next date of hearing, i.e. 07.12.2022.

Relevant extract of aforementioned status report dated 08.11.2022 reads as under:-

“ - x - x -

*3. That it is humbly submitted that in compliance of the order dated 04.11.2022 passed by this Hon'ble High Court, the directions have been issued to the Deputy Superintendent of Police, Dinanagar and SHO Police Station Dinanagar to visit the spot. SHO Police Station Dinanagar visited the spot and submitted his report through Deputy Superintendent of Police, Dinanagar that no person is there in illegal custody of respondents No.4 to 6. the detenue mentioned in the para No.4 in the petition recorded their joint statement to SHO Police Station Dinanagar that they were not kept in illegal custody by any person. They were gone to their home and also stated that they do not require any further correspondence against any person. The joint statement of the detenue is annexed herewith as **Annexure R-I/T**.*

- x - x -”

As per office report, learned counsel for the petitioner was

informed about the date of hearing on his mobile phone, however today as

well, there is no representation on behalf of the petitioner. It appears that the petitioner is not interested in pursuing the present matter any further.

In view of the above, no further order is required to be passed by this Court in the present petition. Accordingly, this petition is dismissed.

07.12.2022
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No