

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

CRWP-11981-2022

Date of Decision: December 23, 2022

HARBANS SINGH SODHI

....Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. J.P.S. Brar, Advocate
for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

Mr. Amit Kumar Goyal, APP for UT, Chandigarh.

GURBIR SINGH, J.(ORAL)

This petition has been filed by the petitioner under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Copus for the release of detenue Harbahajan Kaur Sodhi wife of Harbans Singh Sodhi from the illegal custody of respondent Nos. 4 to 6.

Mr. G.S. Sathi, Advocate, has put in appearance and filed his Power of Attorney in the Court today on behalf of respondent Nos.4 to 6, same is taken on record.

On 19.12.2022, following order was passed by the Co-ordinate Bench of this Court:-

“Prayer in the present petition filed under Articles 226 227 of the Constitution of India is for issuance of writ in the nature of habeas corpus for the release of detenue-Harbhajan Kaur Sodhi w/o Harbans Singh Sodhi, No S.Niranjan Singh Sodhi r/o H.No.418-C, Block C, Rajguru Nagar, Ludhiana, from the illegal custody of private respondents No.4 to 6.

Notice of motion.

At the asking of the Court, Mr. Subhash Godara, Additional A.G., Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 and 2/State of Punjab. He prays for an accommodation to seek instructions in the matter.

List on 23.12.2022.

In the meanwhile, Commissioner of Police, Ludhiana (respondent No.2) and Senior Superintendent of Police, Chandigarh (respondent No.3) are directed to look into the matter and submit status report on the next date of hearing.

Registry is directed to convey the order to the authorities concerned.”

Status report by way of an affidavit of Mandeep Singh Sidhu, IPS, Commissioner of Police, Ludhiana, has been filed by the learned State counsel, which is taken on record.

As per the said reply alleged detenue-Harbahajan Kaur Sodhi, who is present in the Court, is residing with her daughter and son-in-law and grand-daughter with her own free will and she does not want to live with the petitioner who is stated to be her husband.

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

Disposed of.

(GURBIR SINGH)
JUDGE

23.12.2022

Sangeeta

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No