

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-2-2023 (O&M)
Date of decision: 01.01.2023

AMARJIT KAUR

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr.Lakshay Bector, Advocate
for the petitioner.

AMAN CHAUDHARY. J.

Present petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of Habeas Corpus directing the official respondent to release the detenue namely Mewa Singh son of Nachattar Singh from illegal confinement of respondent No.2.

Learned counsel contends that the husband of the petitioner, who is about 60 years old and they are residing together, was forcibly taken away by respondent No.2 along with other police officials from their house on 31.12.2022 at about 04:00 P.M., without disclosing reason thereof. On trying to stop them for so doing, they were given bearings by the police officials. It is his further submission that the husband of the petitioner is not involved in any other criminal case, for which he may be required. He is being detained without any reason or cause and the petitioner apprehends that her husband is being tortured and harassed at the hands of respondent No.2 and other police officials, for reasons best known to them and some false FIR would be registered against him. was is residing with her husband.

On a query posed by the Court, if any representation had been

submitted, learned counsel contends that though the same has not been submitted, the incident being of yesterday, however, the petitioner shall submit the same today itself.

At this stage, learned counsel restricts his prayer that the petitioner will be satisfied if Senior Superintendent of Police, SAS Nagar (Mohali) is directed to look into the representation to be made to him by her in this regard and take appropriate action on the same.

On oral request, Senior Superintendent of Police, SAS Nagar (Mohali) is arrayed as respondent No.3 in the petition. Registry is directed to carry out necessary amendment in the memo of parties.

In view of the limited prayer made by the learned counsel and without going into the merits of the claim raised by the petitioner, in case representation as stated by the learned counsel for the petitioner is submitted to Senior Superintendent of Police, SAS Nagar (Mohali), the same may be decided expeditiously, in accordance with law.

However, it is made clear that in case any criminal case has been/is registered against the detenue-Mewa Singh, this order shall not preclude the Police authorities from taking appropriate action in respect thereof in accordance with law.

A copy of this order be given to the learned counsel for the petitioner under the signatures of the Bench Secretary.

Disposed of.

(AMAN CHAUDHARY)
JUDGE

January 01, 2023

S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No