

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

219

**CRWP-2123-2023 (O&M)
Decided on : 15.03.2023**

Chamkaur Singh

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Gopal Singh Nahel, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

On 02.03.2023, following order was passed by this Court:

“Instant petition, under Articles 226/227 of the Constitution of India, has been filed for issuance of a roving writ in the nature of habeas corpus, seeking appointment of a Warrant Officer, with a direction to find out whereabouts of petitioner's mother (Baljit Kaur), wife (Harmanpreet Kaur) and one year old son (Harjot Singh) and to get them released, who are allegedly detained in illegal custody by private respondent Nos. 5 to 12 in their house since 16.02 2023 and not allowing them to go anywhere. Petitioner is apprehensive of danger to their lives and liberty at the hand of aforementioned private respondents.

Learned counsel for the petitioner submits that, in fact, private respondent Nos. 5 to 12 are annoyed with Gagandeep Singh, who is co-villager and brother of the petitioner. In fact, there is an allegation of having illicit relation of Gagandeep Singh with one girl of same village and due to the said fact petitioner's mother, wife and son have been illegally detained, to compel the petitioner to leave village after selling out properties.

Learned counsel further submits that if no substance would be found in the submissions recorded here-above, petitioner would be ready to pay costs, as would be directed by the Court.

Notice of motion for 15.03.2023.

Mr. J.S. Arora, Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of respondent Nos. 1 to 4.

In the meantime, Registry of this Court is directed to appoint a Warrant Officer on usual charges, who will visit the places of detention of the alleged detenues and if found in illegal detention then to get him released immediately after recording their statement(s). The Warrant Officer shall submit his detailed report in that

regard on or before the date fixed by this Court.”

Today, Warrant Officer's report dated 03.03.2023 has been received in sealed cover, which is opened in the Court. Same is taken on record. Registry is directed to tag the same at appropriate place.

Said report says as under:

“Report,

In compliance of the orders dated 02.03.2023 passed by Hon'ble High Court, on dated 02.03.2023, I was appointed as Warrant Officer for making the compliance of Orders, passed in the case. on dated 02.03.2023, I was ready to move for compliance of the orders, in the meantime, Advocate concerned received a telephonic message from the petitioner as the matter has been compromised between the parties and he informed me accordingly and request me do not go for raid as the matter is solved and petitioner coming here with the statement of compromise.

Thereafter, petitioner came present before the undersigned and gave his statement alongwith copy of compromise (Annexure "A") in which he has stated that matter has been compromised and no need to conduct the raid and he do not want to any action against the respondents. The said statement duly signed by the Advocate of the petitioner.

Unserved summons of the Respondents No. 5 to 12 returned to the concerned Dealing Assistant.

Submitted please.

Dated 03.03.2023
(SATISH GROVER)
WARRANT OFFICER ”

Today, counsel for the petitioner seeks withdrawal of the present petition.

Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

15.03.2023

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No