

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

**CRWP-3737-2023
Date of decision: 19.04.2023**

Jaswinder Singh

....Petitioner.

Versus

The State of Punjab and others

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Yogesh Kumar Aneja, Advocate, for the petitioner.

.....

SANJIV BERRY, J.

This petition under Article 226 of the Constitution of India, is for the issuance of a writ in the nature of Habeas Corpus, for the release of alleged detainee from the illegal custody of private respondents.

Heard.

Learned counsel for the petitioner, at the very outset, submits that the purpose of the petition would be served if the directions are issued to respondent No. 4-Senior Superintendent of Police, Fazilka, to decide the representation moved by the petitioner dated 11.04.2023 (Annexure P-2) in accordance with law and take appropriate action, if so warranted.

Learned counsel for the petitioner, further submitted that inadvertently due to typographical error, in the memo of parties, respondent No. 4 has been mentioned as Senior Superintendent of Police, Tarn Taran, whereas in fact it has to be Senior Superintendent of Police, Fazilka. The correction being typographic in nature, the same is rectified and should be read as Senior Superintendent of Police, Fazilka.

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It is further submitted by learned counsel for the petitioner that the daughter of the petitioner, namely Nisha Rani, left for her work place on 09.03.2023 and thereafter she had not returned back. The petitioner apprehends conspiracy on the part of respondents No. 5 to 11 in the missing of his daughter qua which he has also moved a representation dated 11.04.2023 (Annexure P-2), but till date no action has been taken thereon.

Notice of motion.

On the asking of the Court, Mr Shubham Kaushik, Assistant Advocate General, Punjab, present in Court, accepts notice on behalf of the State-respondents.

In the circumstances of the case and without commenting on the merits of the case, the petition is disposed of with the direction to respondent No. 4-Senior Superintendent of Police, Fazilka, to consider and decide the representation dated 11.04.2023 (Annexure P-2), moved by the petitioner expeditiously after giving personal hearing to the petitioner and take appropriate action, as warranted, under the provisions of the law.

Learned State counsel is also directed to convey to respondent No. 4 to ensure the personal hearing being given to the petitioner, as ordered.

Decision, so taken, be conveyed to the petitioner.

Disposed of.

(SANJIV BERRY)
JUDGE

19.04.2023
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i) Whether speaking/reasoned? Yes/No ii) Whether reportable? Yes/No