

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-7759-2022 (O & M)
Date of decision: 09.01.2023

Bhupinder Singh

... Petitioner

V/s

The State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner.

Ms. Ramta Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 226 of the Constitution of India is for the issuance of a writ in the nature of Habeas Corpus directing the respondents No.1 and 2 to release the son of the petitioner, namely, Manpreet Singh @ Mani from the illegal custody of respondent No.3.

On 11.08.2022, the following order was passed:-

“The present criminal writ petition under Article 226 of the Constitution of India is for the issuance of writ in the nature of Habeas Corpus for the release of detenue, namely, Manpreet Singh son of Bhupinder Singh from the hand of respondent no.3 by appointing a Warrant Officer keeping in view the facts and circumstances of the case.

The learned Counsel for the petitioner submits that Warrant Officer be appointed for the released of the detenue, who is in the illegal custody of respondent no.3, arrayed in the petition.

Notice of motion.

The Registry is directed to appoint a Warrant Officer who shall visit the place of the alleged illegal detention or any other place as may be pointed out by the petitioner. If the detenue is

found to be illegal detention of respondent no.3, then the Warrant Officer shall proceed to get him released forthwith, in case he is not required in any other case. The Warrant Officer may take necessary help from the concerned police station, if the need arises.

List on 16.08.2022.

The remuneration of the Warrant Officer shall be borne by the petitioner.

The Warrant Officer shall submit his report on or before 16.08.2022.”

Pursuant thereto, the report of the warrant officer was received and a short reply of Mr. Waryam Singh (PPS), Deputy Superintendent of Police, Sub Division Samrala, Police District Khanna, District Ludhiana, has been filed.

As per the report of the warrant officer and the reply the alleged detinue Manpreet Singh @ Mani Buddhu son of Bhupinder Singh (petitioner) was arrested in FIR No.159 dated 08.08.2022 under Sections 452, 307, 34 and 120-B IPC and Section 25 of the Arms Act, Police Station Samrala, Police District Khanna.

In view of the above, it is apparent that the said Manpreet Singh @ Mani Buddhu was not in the illegal custody of respondent No.3.

Therefore, no further orders are required to be passed by this Court.

Disposed of.

January 09, 2023
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No