

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-10458-2023

Date of decision : 20.10.2023

Prabhjit Singh Sidhu alias Prabhjit Singh Zira

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Pardeep Bajaj, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a criminal writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of Habeas Corpus with a roving writ by way of appointment of the Warrant Officer to make necessary directions to respondents no.5 to 10 to release the detinue Kulbir Singh alias Kulbir Singh Zira brother of the petitioner.

2. Learned State counsel has pointed out that the brother of the petitioner has been arrested in the Kalandara under Sections 107/151 Cr.P.C. which fact is mentioned in the Kalandara dated 17.10.2023 and Tehsildar-cum-Executive Magistrate vide order dated 19.10.2023, while considering the bail application of the brother of the petitioner, had asked for comments of the SHO, Police Station Zira City, regarding the situation of law and order, so that action can be taken as per law.

3. Learned counsel for the petitioner has submitted that

correspondence/ order dated 19.10.2023 is illegal and thus, seeks to withdraw the present petition with liberty to challenge the same and also by giving full and better particulars.

4. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

5. It is made clear that in case any subsequent petition is filed, all the aspects including the aspect of maintainability would be considered independently, in accordance with law.

(VIKAS BAHL)
JUDGE

October 20, 2023.

Davinder Kumar

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