

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-804-2024
DECIDED ON: 30.01.2024

MANINDER SINGH
.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Naresh Gopal Sharma, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for appointment of Warrant Officer for the release of the detenue namely Sumandeep Kaur (friend of the petitioner), who is stated to be in illegal confinement of respondents No.4 and 5.
2. Vide order dated 25.01.2024, Warrant Officer was appointed and case was adjourned to 30.01.2024, to await the report of Warrant Officer.
3. Report dated 29.01.2024 of the Warrant Officer has been received in a sealed envelope, which reads as under:-

“For carrying out the compliance of order dated 25.01.2024 passed by this Hon'ble Court in the aforementioned case, the undersigned was appointed as Warrant Officer to visit the place(s) of the alleged detention of detenue namely Sumandeep Kaur. The warrant and notices were supplied to the undersigned by the Counsel of the petitioner.

Accordingly, in compliance to the orders, I proceeded for District Amritsar at 6:40 AM on 26.01.2024 and reached Amritsar where Petitioner Maninder Singh met me and thereafter along with him, I went to Police Station Ajnala at 11.40 AM. In the Police Station, Inspector/SHO being deputed in Republic day duty, was not present in the Police Station and I disclosed my identity and purpose of visit to the duty officer. I requested for police force from the Police Officer to search the alleged detainee at the alleged places. Accordingly, a police party including lady Police Personnel was deputed for the purpose and I along with police party proceeded for village Fattewal, the alleged place of detention. I reached at village Fattewal and went to the house of detainee Sumandeep Kaur at the instructions of the petitioner Maninder Singh, where the detainee Sumandeep Kaur was not present in her house. I inquired about her from the family member, to which they replied that she has gone Amritsar and would return in little time. I directed the family members of the detainee girl to come present at Police Station Ajanala along with detainee Sumandeep Kaur. After a little time, the family members along with girl Sumandeep Kaur came present to the Police Station. I asked the detainee Sumandeep Kaur separately in the room of SHO in the presence of lady constable that whether she is in illegal detention at her home or their family members are pressurising her to live with them at her parental home? To which, the detainee denied for any illegal detention and told that she is living with her parents at her own free will and there is no pressure or coercion of any kind upon her to live and she do not want to live with any other relative except her parents. Thereafter I recorded the statement of detainee Sumandeep Kaur, whereby she reiterated the above version. A copy of her statement (along with English Translation) is annexed with this report as Annexure 'A'.

After recording the above said statement, I set the detainee free finding her not detained in any illegal confinement.

Thereafter, I started my return journey at about 4:00 PM and returned back to my residence.”

4. In view of the report submitted by the Warrant Officer along-with the statement made by the alleged detainee namely Sumandeep Kaur wherein, she has stated at present she is residing along-with her parents at Village Fattewal Wadha and wants to live with them and does not want to live with any other person or relative other than her parents, learned counsel for the petitioner prays for withdrawal of the present petition.

5. Prayer is accepted.

6. Dismissed as withdrawn.

(SANDEEP MOUDGIL)
JUDGE

30.01.2024

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>