

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

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**CRWP No.1717 of 2024
Date of Decision: 27.02.2024**

Bikramjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Article 226/227 of the Constitution of India has been invoked for issuance of a writ in the nature of Habeas Corpus for appointment of a Warrant Officer for the release of the detenue namely Adab Jattana, who is the child of the petitioner and stated to be in illegal custody of the CWC Mohali as well as the police officials of Rajasthan police led by respondent No.3.

In compliance of the previous order dated 21.02.2024, the Warrant Officer has submitted his report, which is as under:-

"Accordingly, in compliance to the orders, I proceeded for Mohali. Meanwhile, the counsel for the petitioner informed that child Adab accompanied by the Rajasthan Police is present at Police Station I.T. City, S.A.S. Nagar. I reached the Police Station I.T. City, S.A.S. Nagar at 8.30 PM on 21.02.2024 and disclosed my identity and purpose of visit to the duty officials. I inquired from the duty officials and who told me that Rajasthan Police has already taken the child Adab to Sri Ganganagar as per orders of C.W.C., Mohali. I asked about the ordes, on which the counsel for the petitioner handed over to me a copy of order 21.02.2024 passed by Child Welfare Committee, S.A.S. Nagar, Mohali, indicating that the C.W.C., S.A.S. Nagar after considering the fact that since an FIR No.33 dated 22.01.2024 stands registered at Police Station Thana

Kotwali, Ganganagar (Rajasthan), so the matter is beyond its jurisdiction, the C.W.C., S.A.S. Nagar directed the Rajasthan Police to produce the boy Adab before the C.W.C. Shri Ganganagar as per provisions of J.J. Act, 2015. A copy of order of CWC, SAS Nagar is annexed with this Report as Annexure-A. Besides above order of CWC, SAS Nagar, the officials of Police Station I.T. City, S.A.S. Nagar, Mohali also produced before me a copy of DDR No.19 dated 21.02.2024, which was recorded regarding handing over the custody of child Adab to Rajasthan Police for further producing him before C.W.C. Sri Ganganagar and departure of Rajasthan Police. A copy of DDR No.19 dated 21.02.2024 is also annexed herewith as Annexure-B. Thereafter, I asked the counsel for the petitioner that did there any other place where he wanted to get the raid conducted, to which he replies that there is no need to conduct raid at any other place as Rajasthan Police has already taken the child to Sri Ganganagar. Then I got registered D.D.R. No.21 dated 21.02.2024 regarding my 'arrival and departure', a copy of which is also enclosed herewith as Annexure-C".

Learned counsel for the petitioner is not present but on perusal of the said report clearly suggest that CWC, SAS Nagar, has handed over the custody of child namely Adab to Rajasthan Police who has to produce the child before the CWC Sri Ganganagar and DDR No.19 dated 21.02.2024 has been produced in that regard as Annexure-B with the said report.

In view of the above, nothing survives in the instant petition and the same is disposed of as having been rendered infructuous.

(SANDEEP MOUDGIL)
JUDGE

27.02.2024
D.Bansal

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