



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-4719-2024
DATE OF DECISION: 27.05.2024

GURJIT SINGH @ SURJIT SINGH ...PETITIONER

Versus

STATE ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioner(s).
 Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

A complaint has been received from the applicant Mrt. Gurjit Singh @ Surjit Singh, resident of village Bath, District Bathinda through an email dated 13.05.2024 alleging that his son namely Birdawinder Singh has been taken away by some unidentified police personnel and he has the apprehension that Punjab Police will implicate his son in some false case and therefore, sought his son's protection.

In pursuance to the last order dated 24.05.2024, status report by way of an affidavit of Deepak Pareek, IPS, Senior Superintendent of Police, Bathinda has been filed on behalf of respondent/State of Punjab. The relevant paragraphs are reproduced below :-

'3.That in compliance of order dated 21.05.2024 passed by this Hon'ble High Court, it is respectfully submitted that on 13.05.2024, a police Party headed by ASI Darshan Singh no.



CRWP-4719-2024

-2-

319/BTI of Police Post Bhucho was going on patrol duty in connection with checking of suspected persons, then Veerdavinder Singh son of Gurdeep Singh, of the day". resident of village Bath was found roaming in the area of Bhucho in a suspicious manner. ASI Darshan Singh intercepted him and inquired the name, parentage and residential address of Veerdavinder Singh, then he disclosed himself as Veer Dass, resident of Bathinda. On suspicion, ASI Darshan Singh inquired his name, parentage and complete address repeatedly and strictly, only then he disclosed his actual identity as Veerdavinder Singh son of Gurdeep Singh, resident of village Bath. As accused Veerdavinder Singh concealed his actual identity and failed to reply satisfactorily to ASI Darshan Singh, so Veerdavinder Singh was booked and arrested under Section 41 (2), 109 of Cr.P.C. Accused Veerdavinder Singh was personally searched, but nothing was recovered from him, so personal search memo was prepared. Grounds of arrest cum information of arrest memo of accused Veerdavinder Singh was also prepared. On return to police station Nathana, a General Diary no 38 dated 13.05.2024 under Section 109 of Cr.P.C was recorded at Police Station Nathana regarding the arrest of accused Veerdavinder Singh.

4. That on 14.05.2024, Veerdavinder Singh was produced before the learned Sub Divisional Magistrate, Bathinda by ASI Darshan Singh. Accused Veerdavinder Singh was released on furnishing his bail bonds and surety bonds by the learned Sub Divisional Magistrate, Bathinda. A separate notice under Section 111 of Cr.P.C was also served to accused Veerdavinder Singh by the learned SDM. Bathinda and accused Veerdavinder Singh denied all the charges put to him by the SDM, Bathinda. Then the proceedings were adjourned for 17.05.2024 by the learned Sub Divisional Magistrate, Bathinda. '

5. That on 17.05.2024, the said case was taken up by the learned Court of Sub Divisional Magistrate, Bathinda and no official on



behalf of prosecution was appeared, so the case was adjourned for 19.06.2024.

6. That accused Veerdavinder Singh has not been illegally detained by Bathinda Police, rather he was apprehended by the police party of ASI Darshan Singh no. 319/BTI from the area of Bhucho as Veerdavinder Singh disclosed his wrong and incorrect identity which casts a serious doubt upon him. As the Parliamentary Elections are in process and VVIP movement is going on in the State of Punjab, so it is the duty of police that preventive action should be taken against any suspect if he concealed his actual identity. Thus the accused Veerdavinder Singh has been rightly booked.'

In light of the above, wherein Veerdavinder Singh arrested under Section 41(2) and Section 109 of Cr.P.C. and on 14.05.2024 was produced before the learned SDM, Bathinda by ASI Darshan Singh. On an order of SDM, Bathinda, Veerdavinder Singh was released on bail after furnishing bail/surety bonds and the proceedings were adjourned for 17.05.2024. On 17.05.2024, when the case was called, none of the official on behalf of the prosecution was appeared and now the case is fixed for 19.06.2024.

The categoric stand has been taken by the Deponent Deepak Pareek, IPS, Senior Superintendent of Police, Bathinda that Veerdavinder Singh was not illegally detained by the police party but was arrested by the police party of ASI Darshan Singh from the area of Bhucho as Veerdavinder Singh disclosed his wrong and incorrect identity which casts a serious doubt upon him. It was preventive action stated to have been taken by the police as the Parliamentary

**CRWP-4719-2024****-4-**

Elections are in process and VVIP movement is going on in the State of Punjab.

In light of the above, where the petitioner has been enlarged on bail on 14.05.2024 by the Court of SDM, Bathinda, nothing survives in the present petition as his whereabouts are not now available with the police authorities. The assertion raised in the e-mail dated 30.05.2024 received from Gurjit Singh-father of Veerdavinder Singh lacks veracity and do not inspire any confidence of this Court.

Consequently, the same is dismissed being devoid of any merit.

(SANDEEP MOUDGIL)
JUDGE

27.05.2024
anuradha

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