

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2024:PHHC:126088



(294)

CRWP-9263-2024

Date of Decision: 23.09.2024

Gurmeet Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE KULDEEP TIWARI.

Present:- Mr. G.S. Chanota, Advocate for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI.J (Oral)

1. Through the instant petition filed under Article 226 of the Constitution of India, prayer is made for issuance of invoking the Writ of Habeas Corpus and for appointing Warrant Officer to locate the detenues Sukhwinder Singh son of Krishan Pal, Kuldeep Singh son of Hardev Singh and Bhupinder Singh son of Bagga Singh with the allegations that they are in the illegal custody of respondents no.4 to 11.

2. Report furnished by the Warrant Officer is taken on record as Annexure A.

3. A Coordinate Bench of this Court vide order dated 20.09.2024 passed the following order:-

“The petitioner seeks issuance of a writ in the nature of Habeas Corpus so as to seek release of detenues namely Sukhwinder Singh, Kuldeep Singh and Bhupinder Singh, who are stated to be illegally confined by respondents no.4 to 11 at Regional Campus, Punjab Agricultural University

at Gurdaspur.

Notice of motion to the respondent-State of Punjab only for 23.9.2024.

A Warrant Officer be appointed at the expense of petitioner to visit the Regional Campus, Punjab Agricultural University at Gurdaspur or any other place pointed by the petitioner and in case the aforesaid detenues are found to be illegally detained, their release be secured immediately.

A report be submitted in this regard on the next date of hearing.”

3. In pursuance to the directions issued by this Court, a Warrant Officer was appointed, and he along with the present petitioner, visited the Police Station, City Gurdaspur and the alleged detenues were not found in the illegal detention of the police. Rather on a telephonic call made by the petitioner, after a gap of about 20 minutes, all the alleged detenues came in to the police station and their custody was handed over to the petitioner. Relevant extract of the report furnished by the Warrant Officer is as under:-

“I disclosed my identity and apprised them about the orders of Hon'ble High Court and also make a query regarding detention of detenues namely Sukhwinder Singh, Kuldeep Singh and Bhupinder Singh, upon which he states that the said persons namely Sukhwinder Singh, Kuldeep Singh and Bhupinder Singh are not in custody or illegal confinement. He further disclosed that the same persons are standing outside the police station. Thereafter the petitioner-Gurmeet Singh make a telephone call to them upon which after a gap of 20 minutes the said Sukhwinder Singh, Kuldeep Singh and Bhupinder Singh came inside the police station and disclosed their joint statement in the presence of the police officials as well as the petitioner and other relatives which is enclosed as Annexure-A. The statement of the petitioner- Gurmeet Singh is also recorded separately and is enclosed herewith as Annexure-B wherein it has been categorically admitted by the

petitioner namely Gurmeet Singh that the detenues as detailed above are handed over to him at 02.30 AM on 21.09.2024 in the presence of the police officials/officers and thereafter they left the present place for their home as per their own wish.”

4. In view of above specific report, learned counsel for the petitioner does not press the present petition and the same is accordingly, **dismissed as not pressed.**

23.09.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No