



282.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-9587-2024
Date of decision: 14.10.2024

Nirmal Singh Petitioner

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. S.S. Duhan, Advocate, for the petitioner.
Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J.(Oral)

1. Vide order dated 01.10.2024, this Court passed the following order:-

“The prayer in this petition, filed under Article 226 of the Constitution of India, is for issuance of a writ in the nature of habeas corpus directing the respondents to release the detenues, namely, Anil, Rakesh and Ankit, who have been illegally picked up on 28.09.2024 along with vehicle Fortuner No.DL11-CD-9554 in the name of Rakesh Kumar and Rs.5 lacs from the house of the petitioner by respondent No.3 (Incharge Cyber Crime Cell, Sangrur) without any complaint or FIR. Their whereabouts are not known.

Notice of motion for 04.10.2024.

In the meantime, the Registry of this Court is directed to appoint a Warrant Officer on usual charges to be paid by the petitioner, who will visit the Cyber Cell in Police Lines, Sangrur or any place to be disclosed by the petitioner which is being used as hide out/detention of the alleged detenues and if found in illegal detention then to get them released immediately after recording their statements. Warrant officer shall submit his detailed report in this regard on or before the date fixed by this Court.”

2. Pursuant to aforesaid order, report of Warrant Officer has been received in a sealed envelope. The same is opened in Court today. Mr. Ajay Kumar, Warrant Officer, has given his report dated 24.09.2024, which reads as under:-

“..... I left Chandigarh at 6.10 pm on 01.10.2024 along with petitioner and her counsel. We reached Police Station Cyber Crime, Sangrur at 9.20 pm. Petitioner identified the Fortuner car mentioned in the petition standing out side the police station. SHO/I Harjeet Kaur was present there. After disclosing my identity and purpose of visit, I ask her about alleged detenues Anil, Rakesh and Ankit. She told me that these persons had been arrested in FIR No.19 dated 13.09.2024 u/s 318(4), 61 (2) BNS and 66 (D) IT Act (Annexure R-1) on 28.09.2024 and produced before Ld. Ilaqa Magistrate on 29.09.2024, who had been pleased to grant police remand till 01.10.2024 (Annexure R-2 to R-4). After expiry of police remand, they have again been produced today before the Ld. CJM, Mohali, who has further granted 1 days police remand and are to be produced again on 02.10.2024 (Annexure R-5). Alleged detenues were found in the lock up of the police station City, Sangrur. She handed over me copy of DDR No. 9 dated 28.09.2024 (Annexure R-6) regarding arrest of these persons, recovery of Rs. 5.00 lacs and one Fortuner car.

DD entry No. 18 dated 01.10.2024 is at Annexure R-7.
I left for Chandigarh at 1130 pm on 01.10.2024.”

3. In view of above report since the alleged detenues are in lawful custody in FIR No.19, dated 13.09.2024 (supra), no further action is required to be taken in the present petition and the same is disposed of as such.

(GURBIR SINGH)
JUDGE

October 14, 2024
sanjeev

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