



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

CRWP-9738-2024

Date of Decision: 15.10.2024

Rinku Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner **(Through video conference).**

Ms. Manjot Kaur, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

On 04.10.2024 the following order was passed:-

“This petition, under Article 226 of the Constitution of India, is for the issuance of a writ in the nature of Habeas Corpus, for the release of alleged detainees from the illegal custody of respondent Nos.3 to 5.

2. Learned counsel for the petitioner contends that the alleged detainees whose names are mentioned in head note of the petition, are in the illegal custody of respondent Nos.3 to 5, at Police Station City-1, Barnala, District Barnala.

3. In view of above, a situation has arisen to appoint a Warrant Officer, who shall search the whereabouts of the alleged detainees, at the aforesaid address, and if, they are found in illegal custody of respondent Nos.3 to 5, they be got released forthwith.

4. The fee of the Warrant Officer shall be determined by the Registry as per the Rules and borne by the petitioner.

5. The specific report of the Warrant Officer be also placed on record before the next date of hearing.

6. List on 15.10.2024.”

In terms of the aforesaid order, report of the Warrant Officer has been received. Same is opened and perused in the Court. As per report, the said detenues namely Dhanno Kaur wife of the petitioner and Rani Kaur stated to be sister-in-law of the petitioner, were not illegally detained but were arrested in case FIR No.438 dated 03.10.2024 under Sections 22/29/61 & 85 of the NDPS Act registered at Police Station City-I, Barnala, District Barnala. The detenues were produced before the Court and they were sent to judicial custody for 14 days. At that time, they were in judicial custody at Sangrur Jail and copy of FIR is also enclosed with the report.

The learned counsel for the petitioner submits that originally detenues were kept in illegal custody so action is required to be taken against the police officials.

In view of the report of warrant officer this petition is disposed of as no order is required to be passed. The petitioner is free to take legal course, if advised.

15.10.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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