



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

111

CRWP-4268-2025

Date of decision: 30.04.2025

Sukhpreet Singh

.....Petitioner

Versus

State of Punjab & Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Parminder Singh Rai, Advocate for the petitioner.

Mr. Jastej Singh, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Article 226 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 with a roving writ or directing the respondent Nos.1 to 3 to get release the alleged detainee namely Gursharanpal Singh, aged 62 years (maternal uncle of the petitioner), who is stated to be in illegal confinement of respondent No.3.

In compliance of order dated 26.04.2025, a Warrant Officer has submitted his report, which reads as under:

“Accordingly, the undersigned accompanied by the petitioner Sukhpreet Singh left for Police Station, City-k, Moga, by a car at about 04:30PM on 26.04.2025 and reached there at about 7-40PM. We entered the Munshi Room, where constable Jagmohan Singh and a Santry were present, to whom I disclosed my Identity. Two persons were sitting on a bench in the adjoining room, talking to each other. On seeing them, the petitioner pointed out that out of them, one is his maternal uncle Gursharanpal Singh who was being detained by the police in the Police Station. Then,



I asked constable-Jagmohan further in this matter, who is presently holding a naka nearby the Police Station. Then, he took us to the charge Room and informed the SHO on his mobile, about my visit at the police station. After few minutes, SHO-Inspector Gurpreet Singh came there to whom I disclosed my identity and asked him about the presence of alleged detainee-Gursharanpal Singh in the police station. At this, SHO said that no case is registered in the PS-City-1, -Moga against Gursharanpal Singh but a case FIR No.217 dated 28.08.2019 U/S 409, 420, 120-B IPC had been registered in PS-City-1, Moga against his son Navjeet Singh, who has been declared Proclaimed Offender(PO) by the Hon'ble Court and is required by the police in this case. SHO further informed that vide orders dated 27.03.2025 passed in CRM-M 8928 of 2025, Hon'ble High Court of Punjab & Haryana had directed SSPs of Moga and Bathinda to make joint efforts in nabbing the accused-Navjeet Singh son of the alleged detainee). Therefore, Gursharanpal Singh was verbally called by the police to the PS-City-1, Moga on 24.04.2025 and 25.04.2025 to inquire about the whereabouts of his son-Navjeet Singh, but he was allowed to go home along with other respectable persons of his Village Dholewala. Then, in the presence of SHO-Inspector Gurpreet Singh and the undersigned, the alleged detainee-Gursharanpal Singh got recorded his written statement, (Annexure-'A') wherein he has reiterated the similar facts as narrated by the SHO and further stated that on 24.04.2025 and 25.04.2025 he was verbally called by the police to the PS-City-1, Moga for questioning and he kept on visiting there alongwith respectable persons namely Iqbal Singh(Sarpanch), Village Dholewala and Ameer Singh(Former Sarpanch) resident of Village Gehliwala and others on the said dates and returned to his village Dholewala after questioning by the police. On 26.04.2025 he was again called by the Police at the PS-City-1, Moga for further questioning about his son-Navjeet Singh and he is being relieved to go home along with the petitioner-Sukhpreet Singh, Iqbal Singh(Sarpanch), Village Dholewala, Ameer Singh(Former Sarpanch) resident of Village Gehliwala and others, in the presence of warrant officer. He has further stated that he had already disowned his son Navjeet Singh and he has no



relationship with him. The detenue Gursharanpal Singh also stated that he was not coerced by the police of PS-City-1, Moga during questioning/investigation about his son. Thereafter, the Petitioner-Sukhpreet Singh also got recorded his written statement by stating therein that he was not aware about the fact that his maternal uncle(detenue) was allowed to go to his home on 24.05.2025/25.04.2025 by the police after questioning about his son, but now he is taking his uncle-Gursharanpal Singh alongwith him from the PS-City-1, Moga(Annexure-'B'). Subsequently, the SHO- Inspector Gurpreet Singh got recorded the Roznamcha Report(G.D.) No.018 dated 26.04.2025 at 21:52hrs regarding my visit at the Police Station-City-1, Moga (Annexure-'C'). After getting copies of statement of the alleged detenue and the petitioner alongwith Roznamcha Report, the undersigned alongwith the petitioner, the alleged detenue-Gursharanpal Singh and other respectable persons of their village left the police station.

Accordingly, the above report is submitted for kind perusal of the Hon'ble Court.”

A perusal of the said report clearly depicts that the alleged detenu-Gursharanpal Singh has been released and subsequent thereto has joined his family at village Dholewala, which is also supported by the statement made by detenue-Gursharanpal Singh recorded before the Warrant Officer duly countersigned by the Sarpanch of Gram Panchayat Dholewala and SHO, P.S City Moga dated 26.04.2025.

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

(SANDEEP MOUDGIL)
JUDGE

30.04.2025
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |