

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 110

CRWP No.4922 of 2025**Date of Decision: May 16, 2025**Ashok Kumar Kataria

..... PETITIONER(S)

VERSUSState of Punjab & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**PRESENT:** - Mr. Kawalpreet Singh Virk, Advocate, for the petitioner.

Mr. Jastej Singh, Additional AG Punjab.

SANDEEP MOUDGIL, J (Oral)

The jurisdiction of this Court under Section 226/227 of the Constitution of India has been invoked for issuance of a writ in the nature of Habeas Corpus directing the respondents to produce the detenues Ranjit Kumar son of Sahdev Ram, resident of 484, Hallo Majra, Chandigarh and Sultan son of Shakil Ahmad, resident of Indra Colony, Village Babain, District Kurukshetra, who are in the illegal confinement of respondent No.3.

2. Report of Warrant Officer dated 13.05.2025 has been received. The same is marked as Annexure A and is taken on record. Relevant part (Para to 5) of the aforesaid report is reproduced hereunder:

2. *I along with petitioner Ashok Kumar Kataria and Advocate reached in the police station at 6.00 PM. Upon reaching the police station I introduced myself to SHO Jashanpreet Singh, Belt No. 53RR, Mob. No.8645830000. I informed him that I am appointment as Warrant officer to get release detainee namely Ranjit Kumar s/o Sahdev r/o Hallo Majra, Chandigarh and Sultan s/o Shakil Ahmad r/o Indra Colony, vill. Babain, Distt. Kurukshetra. Upon hearing he told that they were arrested today vide GD No.07 dated 13.5.2023 u/s 128 BNSS Police Station IT City, Mohali, District SAS Nagar, wherein two youngster (detenues) was walking near adjoining wall of Airport and photographs of Airport was found in their mobiles. Copy of the G.D. No.07, dated 13.5.2025, is attached herewith as **Annexure A**. Copy of their arrest report is attached as **Annexure B**. Copy of their search report is attached as **Annexure C**.*



3. *It is further submitted that when I reached the police station and at same time the detenues along with police official were come from Court, where they were produced by the police. We and detenues were entered same time in the police station. Thereafter, SHO has given his statement, wherein he stated that both detenues were arrested approx.2.00 AM and due to non-availability of electricity rapat was diaried at 8.58 AM and thereafter also informed to supervisor on his mobile No.75279-20008 and both (detenues) were produced before the lllaqa Magistrate at 4.50 PM and both were released on personal bonds and the next date is 29.5.2025. However no order of lllaqa Magistrate was available with him. Copy of his (SHO) statement is Annexure D.*
4. *Thereafter statements of both detenues were recorded and after released their custody was handed over to the petitioner. Their statements and taking custody by petitioner is attached as Annexure E.*
5. *Another GD Nos.22(6.03 PM) and 23(6.36 PM), dated 13.5.2025 were recorded stating arrival of undersigned along with Ashok Kumar Kataria for checking and left the police station after checking. Copies of both GD are handed over to undersigned. I along with petitioner, Advocate and detenues left the police station at about 6.40 PM. Copies of GDs are attached as Annexure F and Annexure G.*
3. In the light of above, the alleged detenues stand released and their custody has been handed over to the petitioner.
4. In view of the above, learned counsel for the petitioner seeks permission to withdraw the present petition.
5. Prayer is accepted.
6. Dismissed as withdrawn.

(SANDEEP MOUDGIL)
Judge

May 16, 2025
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No