



110

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

**CRWP-5856-2025
DECIDED ON: 31.07.2025**

LAKHWINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Malkiat Singh Hundal Advocate
for the petitioner (through Hybrid Mode)

Mr. TPS Walia, AAG Punjab

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for directing the respondents No.2 and 3 to present the detainee namely Gurinder Singh son of the petitioner, who has been picked up by the respondent No.2 on the asking of respondent No.3 from his house.

In compliance of the order dated 04.06.2025 passed by this Court, a status report by way of an affidavit of Lovkesh, PPS, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran, has been filed, which is taken on record. Copy of the same has already been supplied to the counsel for the petitioner.

Status report would depict that the Warrant Officer inspected the premises of Police Station Harike to seek release of alleged detainee namely

Gurinder Singh at around 6.30 PM on 29.05.2025 and the alleged detainee was found to be arrested in case FIR No.43 dated 29.05.2025 under Section 21 of NDPS Act, at Police Station Harike.

Status report would further demonstrate that the alleged detainee is an habitual offender, who is involved in other cases, which are as under:-

- “I Case FIR No.96 Dated 02/07/2020 u/s 323/324/506/148/149
IPC PS Harike
II. Case FIR No.67 Dated 04/09/2021 u/s 325/148/149 IPC PS
Harike
III Case FIR No.11 Dated 24/03/2022 u/s 21-A NDPS Act PS
Harike”*

In light of the above, it is evident that the alleged detainee, Gurinder Singh, is a habitual offender, being involved in multiple FIRs, and cannot be considered an innocent person. This Court is of the considered view that the detainee, Gurinder Singh, son of the petitioner, is not in illegal custody of the police.

Accordingly, the present petition is found to be devoid of merit and is hereby dismissed with no order as to costs.

(SANDEEP MOUDGIL)
JUDGE

31.07.2025
Meenu

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