



101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-9656-2025

Date of Decision :23.09.2025

Joginder Singh

...Petitioner

Versus

State of Punjab and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Ranjan Lakhanpal, Advocate for the petitioner.

Mr. Chanchal K. Singla, Additional Advocate General Punjab and
Ms. Kavita Joshi, Advocate, for the respondent/State.

TRIBHUVAN DAHIYA, J. (ORAL)

The petitioner seeks a writ of *habeas corpus* for release of detainee Harmit Singh Pathanmajra, MLA of Sanour Assembly Constituency in Patiala, who has allegedly been taken in illegal custody by official respondents no.3 to 5.

2. The petitioner is a member of political party to which the detainee belongs for the last twelve years, and statedly came in contact with the former during this period. The instant petition has been filed with the allegations that two FIRs were registered against the detainee long back, and since then the official respondents were after him. It is apprehended that the detainee might be eliminated as his whereabouts are not known at the moment.

3. Learned State counsel contends that the alleged detainee is an accused in FIR no.173, dated 01.09.2025, under Sections 376, 420 and 506 IPC registered at Police Station Civil Lines, District Patiala. He was arrested by the police but escaped from custody at Karnal. As a consequence, another FIR



bearing no.664, dated 02.09.2025, was registered against him under Sections 121(1), 132, 221 and 263(b) and 304 BNS, 2023 at Police Station Sadar Karnal, Annexure R-2. He is not in illegal custody of anyone; rather, the respondents are trying to secure his custody for investigation and he is avoiding the process of law by hiding somewhere. His pre-arrest bail petition has already been dismissed by learned Additional District Judge, Patiala, on 10.09.2025, and now a second one has been filed by him. These facts have been detailed in the status report, dated 13.09.2025, filed on behalf of the respondents.

4. Learned counsel for the petitioner is not in a position to dispute the facts aforementioned, and only contends that the allegations are false as FIR no.173, dated 01.09.2025, has been lodged on a complaint alleging illicit relationship with a lady many years back.

5. Considering the submissions, this Court is not inclined to entertain the petition as in view of the undisputed facts aforementioned, it cannot be said that the petitioner is in illegal custody of the official respondents.

6. Dismissed.

September 23, 2025
Ps/Maninder

(TRIBHUVAN DAHIYA)
JUDGE

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