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

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**CRWP-13546-2025
Decided on :23.12.2025**

Kulbir Kaur Sekhon

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Saurav Bhatia, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Present criminal writ petition has been filed under Article 226 of the Constitution of India, seeking issuance of a writ in the nature of Habeas Corpus, for release of her son, namely, Gurpreet Sing Sekhon, who has been allegedly confined and kept in illegal custody by respondent No.3-Station House Officer, Police Station Kulgarhi, Ferozepur.

2. On 12.12.2025, following order was passed:

“1. Petitioner – Kulbir Kaur Sekhon has filed the instant petition under Article 226 of the Constitution of India, for issuance of a Writ in the nature of Habeas Corpus, for release of her son, namely Gurpreet Singh Sekhon, who has been allegedly confined and kept in illegal custody by



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respondent No.3 – Station House Officer, Police Station Kulgarhi, Ferozepur.

Further, prayer has been made for quashing of the order dated 12.12.2025 (Annexure P-6) passed by the Court of Sub Divisional Magistrate, Ferozepur, in case, titled as ‘State through Mandeep Singh Sarpanch vs. Gurpreet Singh Sekhon and others’, under Sections 126/170 BNSS, Police Station Kulgarhi, District Ferozepur.

2. *Learned counsel for the petitioner submits that there is a political rivalry between respondent No.6 – Mandeep Singh Sarpanch of the village and the family members of the petitioner. Respondent No.6 – Sarpanch belongs to the ruling party and using his position and political influence against the petitioner’s family.*

3. *Earlier also, apprehending threat to the life and liberty, petitioner Kulbir Kaur Sekhon filed petition, bearing CRWP No.13161 of 2025, for directing the official respondents therein, to protect her life at the hands of the MLA of the area (respondent No.7 in the said petition).*

4. *The said petition was disposed of, vide order dated 08.12.2025 (Annexure P-3) passed by the co-ordinate Bench of this Court, to decide the petitioner’s representation dated 01.12.2025. However, without deciding the said representation and by misusing the power now, at the behest of respondent No.6 – Mandeep Singh, a kalandra dated 12.12.2025 (Annexure P-4) under Section 126/170 of BNSS, 2023, has been registered against the son of the petitioner.*

Further submits that without complying with the provisions of Section 58 of BNSS, i.e. producing the son of petitioner before the Sub Divisional Magistrate, Ferozepur, a totally illegal order dated 12.12.2025 (Annexure P-6) has been passed by respondent No.5, which reads as under:-

“DDR No.126/170 BNSS Police Station Kulgarhi Ferozepur Superintendent Central Jail, Ferozepur In the above said case, opposite party has not presented any bail bond or person bond, therefore opposite party be confined in judicial custody and he be presented before this ld. Court on 18.12.2025. This



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has been issued today under my signatures and seal of Ld. Court.”

5. *Counsel for the petitioner submits that in fact, petitioner’s son Gurpreet Singh Sekhon, was/is ready to furnish the bail bonds, and even for the said purpose, his counsel, namely, Mr. Arshdeep Singh Randhawa, Advocate, was waiting while standing outside the Court of SDM, Ferozepur (respondent No.5), but he was not allowed to enter. Thus, counsel for the petitioner contends that such an arrest would amount to an illegal confinement, that too, in a bailable offence. Therefore, action of the Sub Divisional Magistrate (respondent No.5) is nothing, but arbitrary in nature. Hence, present habeas corpus petition has been filed by the petitioner.*

6. *Notice of motion.*

7. *Let the hard/soft copy of the present petition be supplied/mailed by counsel for the petitioner, to the office of learned Advocate General; Deputy Commissioner/District Magistrate, Ferozepur; and Sub Divisional Magistrate, Ferozepur (respondent No.5), forthwith.*

8. *After going through the present petition and noticing the pleadings raised therein that respondent No.6, who belongs to the ruling party, as a course of retaliation to the earlier direction dated 08.12.2025 (Annexure P-3), passed by the co-ordinate Bench of this Court in CRWP13161-2025, which was filed by the petitioner, the complaint appears to have been moved, because before that there was no such complaint ever moved by respondent No.6 against the petitioner’s son.*

9. *List again on 17.12.2025.*

10. *To be shown in the urgent list.*

11. *Meanwhile, the Deputy Commissioner-cum-District Magistrate, Ferozepur, is directed to ensure that the exercise*



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of furnishing of bail bonds, at the instance of petitioner's son Gurpreet Singh Sekhon, is accomplished, by respondent No.5 himself, OR in case, concerned officer is not available, let the said exercise be got done by the Deputy Commissioner-cum-District Magistrate, Ferozepur himself, OR through the concerned SHO of the Police Station, and immediately thereafter, petitioner's son, Gurpreet Singh Sekhon, be released from the custody forthwith, otherwise it would amount violation of the 'Fundamental Rights', warranting strict action against the wrongdoer.

12. A copy of this order be given to counsel for the petitioner, under the signature of the Bench Secretary of this Court ”

3. Thereafter on 17.12.2025, following order was passed:

“1. On a call given by the High Court Bar Association, vide resolution dated 15.12.2025, lawyers are observing strike today also, and not appearing in the Court(s).

2. DSP, Ferozepur, appears in-person and submits that the direction recorded in the order dated 12.12.2025 of this Court, qua release of the petitioner forthwith, has been complied with in true letter and spirit. Therefore, the instant petition may be disposed of, having been rendered infructuous.

3. Since the members of the Bar Association of this Court have been abstaining from work for the last three days, proceedings in the present case are deferred to 23.12.2025. To be shown in the urgent list. ”

4. Today, at the very outset, learned counsel for the petitioner submits that, in compliance with the directions dated 12.12.2025 issued by this Court, petitioner has been released on furnishing bail bonds and,



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therefore, present petition has been rendered infructuous and deserves to be disposed of accordingly.

5. Ordered accordingly.

23.12.2025
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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**