



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
280

CRM-M-17531-2021
Date of Decision:-05.03.2026

GURDEEP SINGH

.....PETITIONER

VS.

DEPUTY COMMISSIONER OF POLICE SPECIAL CELL DELHI
POLICE AND ORS

.....RESPONDENTS

CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. S.S. Kang, Advocate for the petitioner(s).

Mr. Satya Pal Jain, ASG with
Mr. Sunil Kumar Rana, Senior Panel Counsel
for the respondent-UOI.

Mr. M.S. Toor, AAG Punjab.

(THROUGH VIDEO CONFERENCING)

JASJIT SINGH BEDI, J.(ORAL)

1. The prayer in the present petition filed under Section 482 of Cr.P.C. is for issuance of directions to get an independent inquiry conducted to look into the abduction, illegal detention and torture of the petitioner by the respondents-authorities based on the statement of the petitioner made before SHO Urban Estate Patiala.

2. The learned counsel for the petitioner contends that the petitioner was abducted by the officials of the Delhi Police and tortured in custody. Therefore, an appropriate inquiry be ordered into the said abduction, illegal detention and torture.

3. The learned counsel for the State of Punjab, on the other hand, contends that a detailed inquiry has taken place and the reply by way of an affidavit of Mohit Kumar Aggarwal, PPS, Deputy

Superintendent of Police, City-II Patiala, would show that the petitioner

was neither abducted nor detained or beaten up by the Special Cell of the Delhi Police. The petitioner has concocted this version so as to benefit his brother. He, therefore, prays that the present petition be dismissed.

4. Vide reply dated 25.08.2021, Mr. Sanjeev Kumar Yadav, Deputy Commissioner of Police, Special Cell, Delhi Police, stated that one Lakhvir Singh @ Lakha Sidhana, the cousin brother of the petitioner, had delivered certain provocative speeches during the farmers' protest. It was in that context that the petitioner was being pursued by the Delhi Police with the belief that it was Lakhvir Singh @ Lakha Sidhana who was using the mobile No.9464160803. However, when the petitioner was apprehended, it was he alone who was using the said mobile number. The petitioner was released immediately. Therefore, the allegations as levelled are baseless.

5. I have heard learned counsel for the parties.

6. The relevant extract of the affidavit of Mohit Kumar Aggarwal, PPS, Deputy Superintendent of Police, City-II Patiala dated 06.12.2021 is reproduced hereunder:-

“However from the MLR of Gurdeep Singh Mundi, from their mobile call record and tower locations, and from secret enquiry conducted by ASI Ajaib Singh, has revealed that Gurdeep Singh alias Mundi Sidhana was nor abducted or detained and beaten or tortured by a Special Cell Delhi Police Janakpuri Delhi in any way. Gurdeep Singh did all this to benefit his brother Lakha Sidhana in his case. In which there is no truth, from the statement and MLR above no offence is made out, therefore I am agreed with the report of ASI Ajaib Singh. Statement of Gurdeep Singh and above said MLR is recommended to be consigned the record room.

The report is submitted for appropriate order.

*Station House Officer
Police Station Urban Estate Patiala
Dated: 05.08.2021”*

7. The relevant extract of the reply of the Delhi Police dated 25.08.2021 is as under:-

“That the contents of this para are incorrect, wrong and are hence denied. It is relevant to mention here that the answering respondents were tracing the mobile location of the mobile bearing no.9464160803, which was named as Lakha Sidhana on the true caller as the answering respondents were informed by their informers that Lakha Sidhana is using the same mobile number, since he had been absconding. It is also important to mention here that the location of the aforesaid mobile was not of specific area or particular place under any jurisdiction of any particular Police Station, instead, the location of the said number was found to be constantly traveling from one place to another.

It is also important to mention here that the petitioner was never arrested or taken into any custody, infact, the answering respondents were searching Lakha Sidhana, when they found that the aforesaid mobile number was being used by his cousin brother i.e. the petitioner, the answering respondents asked only whereabouts of Lakha Sidhana from the petitioner and after serving the notice to the petitioner under section 160 & 91 of Cr. P.C., he was relieved on the spot after knowing the further activities of Lakha Sidhana from the petitioner, with the direction to the petitioner that if required, in future, he will join the investigation and will cooperate in the investigation”.

8. In view of the inquiry report of the Punjab Police and the reply of the Delhi Police, it appears that the Delhi Police were tracing the location of the mobile No.9464160803, which as per the Truecaller App,

was shown in the name of the Lakhvir Singh @ Lakha Sidhana, the cousin of the petitioner. However, when the petitioner was apprehended, it was found that it was he and not Lakhvir Singh @ Lakha Sidhana, who was using the mobile phone. Therefore, though he was detained, he was never arrested or taken into custody.

9. In view of the above, no independent inquiry needs to be conducted in the instant case and therefore, the present petition stands dismissed.

10. All the pending miscellaneous applications, if any, stand disposed of.

05.03.2026
Kusum

(JASJIT SINGH BEDI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>