

(2012) 04 P&H CK 0081

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Writ Petition No. 675 of 2012

Harmesh Lal

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: April 4, 2012

Hon'ble Judges: Rameshwar Singh Malik, J

Bench: Single Bench

Advocate: Deepak Balyan, Additional Advocate General, Punjab, for the Respondent

Judgement

Rameshwar Singh Malik, J.

The instant one is criminal writ petition seeking a writ of habeas corpus. While issuing notice of motion, the Warrant Officer was ordered to be appointed vide order dated 31.03.2012. In compliance of the order dated 31.03.2012, the Warrant Officer has submitted his report dated 03.04.2012. The Warrant Officer has submitted in his report that the alleged detenues could not be found detained as alleged. The petitioner did not point out any other place to be raided by the Warrant Officer. The relevant part of the report dated 03.04.2012, submitted by the Warrant Officers, reads as under:

On 31.03.2012, I along with Harmesh Lal-petitioner left Chandigarh at 05:40 PM and reached Balachaur at 07:30 PM. As desired by the petitioner I proceeded to visit police station Pojewal District Hoshiarpur. SI Ramji Dass was found present. To whom I disclosed my identity and apprised him about the purpose of my visit. Thereafter, I recorded entry in the Roznamcha at 08:00 PM as DDR No. 31. Then I checked lock up and adjoining rooms of the police station. But alleged detenues could not be found detained by that point of time. On my specific query to SI Ramji Dass regarding alleged illegal detenues he replied that neither alleged detenues have been arrested nor wanted in any case at this stage. Then I along with petitioner left the premises of police station Pojewal at 08:20 PM. When we came out of the police station, one of the alleged detenue namely Sh.Ranjit Singh was found standing out side the premises of said police station along with one of his relative.

On my query regarding his presence he disclosed that he was arrested today early in the morning by police party headed by SI Ramji Dass, but freed in the evening. Thereafter, as desired by the petitioner, I also raided police station Balachaur and recorded entry as DDR No. 49 at 10:00 PM. But alleged dentenues except Sh.Ranjit Singh were not found detained or otherwise. Since no any other place where alleged detenues were likely to be detained has been pointed out by the petitioner. Hence I proceeded back to Chandigarh at 10:20 PM.

2. Learned State counsel submits that in view of the report submitted by the Warrant Officer, instant petition has been rendered infructuous and may be disposed of, as such. In view of the above statement made by learned State counsel and also in view of the report submitted by the Warrant Officer, the instant petition is ordered to be disposed of as having been rendered infructuous.