
Bhim Singh Vs State of Jammu & Kashmir

Writ Petition (Criminal) No. 1037 of 1984

Court: Supreme Court of India

Date of Decision: Aug. 31, 1984

Acts Referred:

Constitution of India, 1950 – Article 32

Citation: (1984) 2 SCALE 370 : (1984) SCC 504 Supp : (1984) 1 SCC 504 Supp

Hon'ble Judges: Ranganath Misra, J; D. A. Desai, J

Bench: Division Bench

Final Decision: Disposed Of

Judgement

@JUDGMENTTAG-ORDER

1. Mr. E.C. Agarwala, learned Counsel for the State of Jammu & Kashmir has placed on record a copy of the teleprinter message from the

concerned authority dated August 30, 1984 informing him that Mr. Bhim Singh the detenu, whose detention has been challenged in this Writ

Petition under Article 32 of the Constitution has been released on August 24, 1984. This teleprinter message is followed by a letter confirming the

same. Mr. E.C. Agarwal, learned Counsel has authenticated the letter as well as the teleprinter message, and placed them on record.

2. Mrs. Jayamala, learned Counsel for the petitioner and a member of the working committee of J. and K. Panthars Party has filed this writ petition

for writ of Habeas Corpus questioning the validity of the detention of Bhim Singh, who is a sitting Member of the Legislative Assembly of Jammu

& Kashmir State. When the letter and teleprinter message were shown to Mrs. Jayamala, she said that Mr. Bhim Singh has not been released

because she had contacted all the possible sources enquiring about the release of the petitioner, but he could not be contacted and therefore there

is reason to believe that the statement made by Mr. Agarwal is not correct. We are not persuaded to accept this submission because it is difficult

to believe that the State would make through its learned Counsel a wholly false statement in respect of a detenu.

3. The petitioner is at liberty to take other steps if the petitioner is not released as stated by the learned Counsel.

4. This petition has become infructuous and stands disposed of accordingly.