
(2012) 09 P&H CK 0248
In the Punjab And Haryana At Chandigarh
Case No : CRWP No. 3 of 2011 (O and M)

Rajwant Singh

APPELLANT

Vs

The State of Punjab and Others

RESPONDENT

Date of Decision : 14-09-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 363, 366A

Citation : (2012) 09 P&H CK 0248

Hon'ble Judges : Mehinder Singh Sullar, J

Bench : Single Bench

Advocate : Raj Kumar Garg, for the Appellant; T.S. Salana, DAG Punjab for respondent Nos.1 to 4, for the Respondent

Final Decision : Dismissed

Judgement

Mehinder Singh Sullar, J.—Petitioner Rajwant Singh son of Raghbir Singh has directed the instant petition, in the nature of Habeas Corpus and sought the custody of his daughter Jaspreet Kaur (detenue), inter-alia, pleading that on 6.10.2010, she had gone to Sh. Guru Harkrishan Public School and did not return back. On enquiry, it revealed that his daughter Jaspreet Kaur was enticed by one boy Saurav son of late Vipin Behal and his accomplice Minku son of Gopal Kishan, with the connivance of his mother. In the wake of complaint of the petitioner, a criminal case was registered against the accused, vide FIR No.134 dated 9.10.2010 (Annexure P1), on accusation of having committed the offences punishable under sections 363 and 366A IPC by the police of Police Station "C" Division, Amritsar. According to petitioner that since the whereabouts of Jaspreet Kaur (detenue) are not known, so, the respondents be directed to hand over her custody to him. In the background of these allegations, the petitioner filed the present writ petition for Habeas Corpus in the manner stated here-in-above. The respondents-State filed the reply, by way of affidavit of Rajveer Singh, Assistant Commissioner of Police, Amritsar, wherein, it was reiterated that the FIR (Annexure P1) was registered against accused-respondent Nos.5 to 11. During

the course of investigation, Minku (respondent No.6) was arrested on 17.10.2010, Gaurav Behal (respondent No.7), Prem Behal (respondent No.8) were arrested on 20.11.2010, whereas respondent Nos.9 & 10 were granted the concession of anticipatory bail by the High Court. It was claimed that efforts are being made to arrest the remaining accused in the present case. That being so, the respondents-State prayed for dismissal of the main writ petition.

After hearing the Learned Counsel for the parties, going through the record and different status reports submitted by the respondents-State, to me, the police is taking effective steps to investigate the indicated criminal case. As no further action is required in the matter at this stage, therefore, the instant writ petition is dismissed as such.