

Bhim Singh vs State Of J&K on 31 August, 1984

Equivalent citations: 1984(2)SCALE370, 1984SUPP(1)SCC504

Bench: D.A. Desai, Ranganath Misra

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.