



2026:PHHC:086804

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COC-2876-2026

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

137

COC-2876-2026

Decided on : 05.06.2026

Mukhwant Singh

. . . Petitioner(s)

Versus

Naresh Kumar (Sub Inspector) and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. D.S. Sobti, Advocate,
Mr. Arshdeep Singh Kler, Advocate,
Mr. Saurav Bhatia, Advocate,
for the petitioner

Mr. Maninderjit S. Bedi, Advocate General Punjab with
Mr. Chanchal K. Singla, Additional A.G. Punjab
Mr. Maninder Singh, Additional A.G. Punjab
Mr. Manjinder Singh Bhullar, DAG Punjab
Ms. Kavita Joshi, Advocate and
Mr. Ferry Sofat, Additional A.G. Punjab and
Mr. TPS Walia, AAG Punjab

SANJAY VASHISTH, J. (Oral)

1. Petitioner-Mukhwant Singh has filed instant contempt petition under Section 10 and 12 of the Contempt of Courts Act, 1971 for initiating contempt proceedings against respondents No. 1 to 3, who have been impleaded as parties by name (in their personal capacity) for willfully, intentionally disobeying order dated 03.06.2026 (Annexure P-2) passed by this Court in CRWP-6620-2026 titled as *Mukhwant Singh vs. State of Punjab and others*.

2. In Habeas Corpus petition i.e. CRWP-6620-2026, this Court held vide its order dated 03.06.2026 that arrest of the detenu Jobanpreet Singh in case FIR



2026:PHHC:086804



2026:PHHC:086804

COCP-2876-2026**2**

No. 90 dated 30.05.2026, registered at Police Station Majitha, District Amritsar Rural is illegal, observing so, the petition was disposed with the direction to release the detinue from custody, as his initial detention is illegal being in contravention to the rights and protection envisaged under Article 21 and 22 (1) of the Constitution of India read with the relevant provisions of BNSS, 2023, and judicial pronouncements.

3. With the able assistance of both the counsel for the parties, the position, which emerged before this Court is that infact, the petitioner had taken order dated 03.06.2026, passed in a Habeas Corpus petition filed before this Court directly to the jail authorities, without firstly approaching to the Court of learned concerned Magistrate, for issuing direction/release warrant in regard to release of detinue, who was already confined in Central Jail, Amritsar. It is not a matter of dispute that as per record prepared by the prosecution agency, petitioner was confined in the jail, after being arrested (legally or illegally), after registration of criminal case against him.

4. Faced with the situation, learned counsel for the petitioner submits that he seeks withdrawal of the present petition with liberty to approach to the Court of concerned Magistrate, at first instance for issuance of further necessary direction.

5. Dismissed as withdrawn with the aforementioned liberty.

June 05, 2026*reena***(SANJAY VASHISTH)
JUDGE***Whether speaking/reasoned:
Whether Reportable:**Yes/No
Yes/No*