

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

**CRM-M No. 32127 of 2013 (O&M)
Date of Decision: 17.08.2015**

Deepak Kumar and another

..... Petitioners

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Munish Raj, Advocate for the petitioners.

Mr. Mikhil Kad, AAG, Punjab for respondents No. 1 to 7.

None for respondents No. 8 and 9.

JASWANT SINGH, J. (Oral)

Two petitioners i.e. Deepak Kumar and Raj Kumar have filed the present petition under Section 482 Cr.P.C. on 23.09.2013 with the prayer for directing the Commissioner of Police, Ludhiana (respondent No.2) to ensure that their life and liberty is protected at the hands of the CIA Staff/respondents No. 4 to 7, who are bent upon implicating the petitioners in false cases.

Upon notice, individual replies of the private respondents have been filed denying all the allegations.

Pursuant to the specific order, the Commissioner of Police, Ludhiana/respondent No. 2 has filed reply on behalf of respondents No. 1 to 3 by way of affidavit dated 06.12.2014. Along with the affidavit, an enquiry conducted by the Additional Deputy Commissioner Police (Crime), Ludhiana, with regard to the specific allegations of certain instances in the petition have been got enquired to and found to be without any substance. It is found that the petitioners

are persons of criminal nature involved in the selling of intoxicants and have filed the present petition in order to put unnecessary pressure on the Investigating Agency. Still further in para No.1 of the preliminary objections, list of nine cases along with their respective stage showing the involvement of the petitioners/accused has been shown, which reads as under:-

<i>FIR No.</i>	<i>Dated</i>	<i>Under Sections</i>	<i>Whether Convicted/ Under trial</i>	<i>Police Station</i>	<i>Name of Accused</i>
181	16.08.2002	323, 341, 506, 34 IPC	Acquitted due to compromise	Division No. 7	Raj Kumar
99	16.04.2013	21/61/85 of NDPS Act	Under trial	Division No. 7	Deepak Kumar
129	25.09.2011	NDPS Act	Under trial	Division No. 7	Deepak Kumar
69	19.04.2006	452, 356, 427, 323, 506, 148, 149 IPC	Acquitted	Division No. 7	Deepak Kumar and Others
229	08.11.2013	21/61/85 of NDPS Act	Under trial	Division No. 7	Deepak Kumar
52	18.04.2014	25/54/59 of Arms Act	Under trial	Division No. 7	Deepak Kumar
149	07.12.2012	21/61/85 of NDPS Act	Under trial	Model Town, Ludhiana	Raj Kumar
31	28.03.2013	420 IPC	Under trial	Jamalpur, Ludhiana	Raj Kumar
51	17.04.2014	22/61/85 of NDPS Act	Under trial	Laddhowal, Ludhiana	Deepak Kumr and Raj Kumar

After hearing learned Counsel for the parties and keeping in view the contents of the affidavit of the Commissioner of Police, Ludhiana/respondent No. 2, it is apparent that the present petition is devoid of any merits, requiring no further consideration.

In view of the above, the present petition stands dismissed.

August 17, 2015

Gagan

**(JASWANT SINGH)
JUDGE**