

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

CRM No.M-43821 of 2014

Date of Decision: February 18, 2015

Sukhjinder Singh

.... Petitioner

vs.

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Nikhil K. Chopra, Deputy Advocate General, Punjab.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Reply filed by way of affidavit of Parminder Singh, PPS, Deputy Superintendent of Police, City Gurdaspur, on behalf of respondent Nos.1 to 4-State, in the Court today, is taken on record.

Learned counsel for the petitioner contends that the petitioner is a Govt. Teacher and he has been falsely implicated in FIR No.44, dated 06.06.2014, under Sections 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Tibber, District Gurdaspur. Therefore, a request has been made for transferring the investigation to an independent agency or any other agency.

In the reply filed by the State, it is stated that the FIR in question was correctly registered. 600 gms. intoxicant powder was recovered from the dashboard of the car, in which the petitioner was travelling. It is stated that sister of the petitioner, namely Dr. Rajwinder Kaur Boparai, Asstt. Professor, Pandit Mohan Lal S.D. College, Gurdaspur, has filed an application in the office of respondent No.3. The matter was got enquired into by the Deputy Superintendent of Police, Headquarter, Gurdaspur and it was found that the complaint was false.

In view of the fact that the present petitioner is a Govt. Teacher, who claims that he has been falsely implicated and the fact that the recovery is of 600 gms. intoxicant powder, which indicates that these could be grinded drugs, which are available in the open market, the facts and circumstances of the case require that the allegations levelled against the petitioner should be got investigated from the police outside Gurdaspur District.

Therefore, the present petition is allowed and the copy of the order be sent to Inspector General of Police (Crime), Punjab with a direction that it should be treated as a complaint and thoroughly enquired and action be taken accordingly in the FIR in question.

(KULDIP SINGH)
JUDGE

February 18, 2015
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