

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

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CRWP-352-2015
Decided on : 26.05.2015*Bayian Kaur**... Petitioner**Versus**State of Punjab**... Respondent*

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : None for the petitioner.
Mr.Sultan Singh Gill, DAG, Punjab
for the respondent.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Hari Pal Verma, J. (Oral)

A complaint was received by this Court which was treated as CRWP-352-2015.

In the complaint, it is alleged that Kala Singh son of Balvir Singh resident of Miani Waddi Tehsil Urmar Tanda, District Hoshiarpur is in illegal confinement of police, Police Station Lohian, Jalandhar (Rural), District Jalandhar.

On notice of motion having been issued, State has filed reply by way of an affidavit of Mandeep Singh, PPS, Deputy Superintendent of Police, Sub Division Shahkot, Jalandhar (Rural) District Jalandhar. The relevant paras No.2 and 4 of the reply read as under:-

“2. That, with regard to the subject matter of the present petition, it is most respectfully submitted that case/FIR No.8 dated 18.02.2015 under Sections 379-A/34 IPC was registered at Police Station Lohian, District Jalandhar City against 5 unknown persons on the statement of Kala (alleged detainee) that on 17.02.2015 when he was coming on his motorcycle Discover-125CC, black colour bearing No.PB-07W-7270/Temp towards Pipli, District Jalandhar at about 6.30 PM, then near village Wadabudh Singh, an Esteem Car bearing No.DL-23-0890 stopped near his motorcycle and stopped his motorcycle. Thereafter, the key of his motorcycle, his mobile phone having numbers 95656-83957 and 90412-10227 and the purse of his wife were taken from them by five unknown persons out of which two were Hindu gentlemen and three were wearing turban, by threatening them and went towards Sultanpur side. Accordingly, legal action was sought against the guilty. As a consequence thereof, case/FIR No.8 (supra) was registered and investigation commenced.

4. That it is respectfully submitted that while the investigation of the case/FIR No.8 (supra) was underway, Kala Singh (alleged detainee) was apprehended at a naka on 21.02.2015 by the local police for the recovery of 410 grams of intoxicating powder on the motor cycle in regard to which he had lodged case/FIR No.8 (supra). As a consequence thereof, case /FIR No.9 dated 21.02.2015 under Sections 22, NDPS Act was registered at Police Station Lohian, District

Jalandhar City on the complaint of Charanjit Singh ASI against Kala Singh (alleged detenue) and the investigation commenced.”

In view of the fact that during investigation the complainant, Kala Singh was found on his own motorcycle along with narcotic contents (410 grams intoxicate powder), the allegation made in the complaint are false.

Accordingly, the present petition is dismissed.

[Hari Pal Verma]
Judge

26.05.2015
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