

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.3131 of 2014

Date of Decision: August 07, 2015

Dr.Sanjay Goel

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Gautam Dutt, Advocate, for the petitioner.
Ms.Reeta Kohli, Additional AG, Punjab.

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1. Whether Reporters of Local papers 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?

Surya Kant, J. (Oral)

The petitioner who is resident of Chembur, Mumbai (Maharashtra), is stated to be a qualified MBBS, MD, DNB medical professional. He is also an entrepreneur and is running pharmaceutical manufacturing Unit(s) for the last about 15 years. He has through this writ petition sought a mandamus to direct the respondents including the State of Punjab etc. to entrust the investigation of FIR No.241 dated 07.12.2013 registered under Sections 21, 22, 25-A, 61, 85 of NDPS Act, 25, 54, 59 of Arms Act and 379, 411, 420, 465, 467, 468, 471, 120-B of IPC at Police Station Patiala, to an independent agency, namely, the Narcotic Control Bureau of India-respondent No.7.

[2] The above-stated direction is sought on the premise that the petitioner has been falsely implicated in the subject-FIR even though he is duly licensed to manufacture the products in accordance with the licence and permission granted by statutory authorities including the Central Bureau

of Narcotics.

[3] The petitioner was arrested on 16.01.2014 but has been later on released on bail on 24.04.2014.

[4] The State of Punjab has filed its reply-affidavit opposing the prayer made by the petitioner.

[5] Be that as it may, the petitioner is said to have made a representation to the State of Punjab/Competent Authority to re-consider/re-enquire the alleged incriminating role attributed to him and consequently has requested for the deletion of his name from the arrays of accused/suspects in the FIR. The said representation, we are informed, is under active consideration.

[6] In the light of the fact that the authorities themselves are re-considering the role attributed to the petitioner in the FIR, he seeks to withdraw this writ petition at this stage so as to actively pursue his above-mentioned representation.

[7] Ordered accordingly.

[8] Needless to say that if the petitioner would be left with any grievance after the decision on his representation, he shall be at liberty to approach the appropriate forum. Similarly, to obviate any hardship and to set the controversy at rest, we direct the State of Punjab/Competent Authority to decide the petitioner's representation expeditiously but not later than six weeks from the date of receiving a certified copy of this order.

[SURYA KANT]
JUDGE

[P.B.BAJANTHRI]
JUDGE

August 07, 2015
mohinder

CM Nos.2353-2354 and 12851 of 2014
in CWP No.3131 of 2014

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Dr.Sanjay Goel versus Union of India and others

Present : Mr.Gautam Dutt, Advodcate,
for the applicant-petitioner.
Ms.Reeta Kohli, Additional AG, Punjab.

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CM Nos.2353 & 2354 of 2014

For the reasons mentioned in the applications, the same are allowed, the documents (Annexures P-19 to P-22) are taken on record and exemption from filing certified copies thereof is granted.

CMs stand disposed of.

CM No.12851 of 2014

For the reasons mentioned in the application, the same is allowed subject to all just exceptions and the documents (Annexures R-1 to R-15) are taken on record.

CM stands disposed of.

(SURYA KANT)
JUDGE

August 07, 2015
mohinder

(P.B.BAJANTHRI)
JUDGE