

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

**Criminal Writ Petition No.683 of 2016 (O&M)
Date of decision: 01st June, 2016**

Rajinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Divjyot Singh Sandhu, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Today, Mr. Divjyot Singh Sandhu, Advocate, has appeared and filed power of attorney on behalf of petitioner. Same is taken on record.

Affidavit of Daljit Singh, PPS, Deputy Superintendent of Police, Sub Division, District Kapurthala on behalf of respondent(s)-State has been filed. Same is taken on record. Copy has been supplied.

The application sent by Rajinder Kumar to the office of Hon'ble Chief Justice has been treated as criminal writ petition and has been taken up on judicial side.

In this case, Warrant Officer was appointed and the report of the Warrant Officer was called.

Report of the Warrant Officer has been received. Same is taken on record.

The Warrant Officer, in his report, has submitted that he went to the house of petitioner/detenué where father and other family members were available. Then he alongwith petitioner proceeded for police station Kotwali, Kapurthala but the petitioner went back from outside of police

station without entering it. The Warrant Officer reached the Police Station Kotwali at 5:15 p.m. on 20.05.2016 but detainee Rakesh Kumar was not found in the custody of police in the said police station. However, the police official stated that detainee Rakesh Kumar was arrested on 15.05.2016 in case FIR No.0087, registered at Police Station Kotwali, Kapurthala, under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, and so many cases under Narcotic Drugs & Psychotropic Substances Act, are pending against him in other police stations.

Keeping in view the fact that detainee Rakesh Kumar was not found in illegal custody, rather it is stated by the Police that he has been arrested in the aforesaid case FIR, therefore, no further action requires in the instant petition and the same is disposed of accordingly.

01st June, 2016
mamta

(INDERJIT SINGH)
JUDGE