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

**CRM-M-26271-2017
Date of Decision: 24.07.2017**

Harprit Singh Bahad

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vipul Jindal, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

Notice of motion.

2. On the asking of the Court, Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondents.

3. Contention of the petitioner is that he is being motivatedly harassed and threatened at the instance of respondent No.6, who is the Station House Officer of the Police Station SSOC, Amritsar, out of grudge since the petitioner has filed a criminal complaint against the said respondent, who is, therefore, indulging in such alleged activity with a view to pressurize the petitioner to withdraw his complaint. Further submission is that in the past also the petitioner was falsely implicated in criminal cases under the Narcotic Drugs & Psychotropic Substances Act (in short 'NDPS Act'). In one case bearing FIR No.6 dated 02.02.2010, the petitioner was acquitted. In the second case bearing complaint dated 29.10.2010 under Sections 21, 23, 28 & 29 of the NDPS Act filed by Commissioner of Customs, Customs Preventive Commissionerate, Amritsar, the petitioner

was finally discharged vide judgment of a Co-ordinate Bench of this Court in **CRR No.555 of 2011** on 16.12.2013 (Annexure P-2).

4. Till date, thereafter, two other FIRs were also lodged against him in which he was favoured with anticipatory bail, in both cases, by the Co-ordinate Benches of this Court and he is now facing trial.

5. Considering the chequered history of the petitioner, long adversarial relationship with respondent No.6 since the time he was first implicated in FIR No.6 dated 02.02.2010, the apprehension of the petitioner may not be altogether unfounded.

6. However, without going into the merits of the petitioner's allegations, the present petition is disposed of with a direction upon respondent Nos.3 to 5 to ensure that in case, the petitioner is wanted for any involvement in any criminal matter, in the absence of any direct recovery from him, appropriate notice under the provisions of Cr.P.C. be served upon him and in case, he is actually arrested in any matter in future then he should be promptly taken to the nearest competent Court or Magistrate.

24.07.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No