

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.1575 of 2016 (O&M)

Date of Decision: May 10, 2017

Pankaj Chopra

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- None for the petitioner.

Mr. Rajesh Mehta, Addl. Advocate General, Punjab

Amol Rattan Singh, J. (Oral)

By this petition, the petitioner was seeking release of his uncle, one Raj Kumar Chopra, whom he alleged was illegally 'picked up' by respondent no.3, i.e. the Station House Officer, Police Station SBS Nagar, Ludhiana, at about 5 o' clock (not given as AM or PM) and thereafter was detained illegally in order to put pressure upon the said person that he should give an undertaking to the effect that he would produce Anil Chopra, brother of the present petitioner Pankaj Chopra, as FIR no.105 dated 20.11.2016 had been registered against the said Anil Chopra and other co-accused at the aforesaid police station, for the alleged commission of offences punishable under Sections 409, 420, 120-B IPC. The petition is dated 05.12.2016, by which appointment of a Warrant Officer was also sought.

However, when the petition first came up for hearing on the same date, i.e. 05.12.2016, simply notice of motion by way of dasti process was issued, returnable on 07.12.2016, on which date the matter was

adjourned to 23.12.2016. On that date again it was adjourned to 21.02.2017 in the absence of the counsel for the petitioner, with the State seeking more time to file a reply.

It came up on 21.02.2017 thereafter and again with none present for the petitioner, a reply was filed by the State counsel in Court and the matter was adjourned till 08.05.2017.

Again none having appeared for the petitioner on 08.05.2017, since Court time was over by the time the turn of the case came up, it was adjourned till today, with the matter being shown in the urgent list.

Today yet again, none is present for the petitioner.

It is stated in the reply filed by way of affidavit of the Assistant Commissioner of Police (West), Ludhiana, that the aforesaid FIR had been indeed registered against the younger brother of the petitioner and others, for allegedly committing a fraud of Rs.3,92,77,400/-. The detail of the allegations against the petitioner's brother are also given, as to how he allegedly withdrew money from an ATM, for his company, but is stated to have absconded with it.

Thereafter it is stated that the brother of the petitioner, Anil Chopra, surrendered before the learned Magistrate on 07.12.2016 and was remanded to judicial custody. It has been of course denied in the reply that the aforesaid Raj Kumar Chopra was ever picked up/arrested/detained by the police.

Without making any comment on the contentions raised either in the writ petition or the reply filed thereto, in view of the fact that counsel

for the petitioner has not appeared on three dates consecutively, obviously, the petitioner is no longer aggrieved of any action alleged to have been taken by the respondents and consequently, this petition is dismissed.

May 10, 2017
vcgarg

(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: No