

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

COCP 557/2018

Date of decision:16.02.2018.

Dr.Rahul Rai and others

.....Petitioners

v.

Sh.Yadwinder Singh and another

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Ms.Isha Goyal,Advocate for the petitioners

Jaswant Singh,J,(Oral).

Three petitioners,who are Doctors, alongwith co-accused Krishan Kumar are named as accused in FIR No.471 dated 29.8.2017 under Section 22(c) of the NDPS Act,PS Ratia, Distt.Fatehabad. The primary allegation is keeping stocks of tablets/medicines for which no explanation could be offered and thereby inviting the rigors of NDPS Act.

Present contempt has been filed with the allegations that the SHO and ASI concerned are seeking to arrest the three petitioners inspite of an order dated 22.1.2018(P-1) passed by this Court in CWP 1326/2018 whereby the police authorities were restrained from taking any coercive measures.

At the time of hearing it is stated that in the said writ petition prayer inter alia is for quashing of the FIR on the ground that no offence would be made out under the NDPS Act. The said writ petition is now fixed for 14.3.2018.

A perusal of order dated 30.1.2018(P-2) passed by this Court

in CRM-M 3118/2018 filed by co-accused Krishan Kumar seeking regular bail, reveals that this Court has deprecated the lackadaisical approach of the police for not arresting other co-accused i.e. the present petitioners. It is stated that in pursuance of the order dated 30.1.2018(P-2) police authorities are hell bent on arresting the petitioners inspite of the interim order dated 22.1.2018(P-1) passed by a Co-ordinate Bench of this Court in CWP 1326/2018.

After hearing counsel for the petitioner and keeping in view the aforesaid facts it is evident that no contempt would be made out. However, petitioners are free to seek appropriate remedy in accordance with law.

Dismissed.

16.02.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No