

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-10229 of 2018(O&M)
Date of Decision: September 14, 2018**

Rajesh Kumar @ Noni

.....PETITIONER

VERSUS

State of Punjab and others

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Kohar, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

SURINDER GUPTA, J (Oral)

Heard.

Reply by way of affidavit filed by learned State counsel is taken
on record.

Learned counsel for the petitioner submits that the petitioner
was convicted and sentenced in case bearing FIR No.34 dated 10.06.2014
registered at Police Station Sadar, Pathankot vide judgment dated
08.01.2015 and in FIR No.198 dated 27.09.2012 registered at Police Station
City Gurdaspur vide judgment dated 16.05.2017. He filed appeals and got
suspension of sentence from this court. Thereafter, respondents No.3 and 4
visited the house of petitioner to enquire about his whereabouts for
implicating him in some other case of similar nature.

Learned State counsel submits that respondents No.3 and 4

registered against him. Out of four cases registered against the petitioner under the provisions of Narcotic Drugs and Psychotropic Substances Act, 1985, he had already been convicted in two cases. Because of the drug menace, which the State of Punjab is facing, the police is keeping surveillance on every activity of the persons, who have criminal history and are involved in NDPS cases. The apprehension of petitioner that he will be involved in some other case without reason is without basis.

In view of submission of learned State counsel, this petition is disposed of with liberty to the petitioner to give a representation before the Senior Superintendent of Police, Pathankot as and when he faces any threat of his false implication which on filing will be looked into, in accordance with law.

It is, however, made clear that nothing contained in this order shall be interpreted as giving any type of the protection to the petitioner in any criminal, civil or other proceedings instituted or pending against him.

September 14, 2018
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No