

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

**CRM-M-38631-2018
Date of decision:05.09.2018**

Hans Raj

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. P.P.S. Duggall, Advocate
for the petitioner.

GURVINDER SINGH GILL, J. (ORAL)

By way of filing this petition, the petitioner seeks issuance of the directions to the respondents to collect information pertaining to call details of the mobile numbers of DSP Narinder Singh, mobile No.8558800808; Punjab Singh SHO, Police Station Arniwala; ASI Iqbal Singh and also of the petitioner's son namely Sunny, mobile No.9780106067, who is stated to have been falsely implicated in FIR No.36 dated 26.03.2018 under Section 18, 61 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner has submitted that SHO Punjab Singh had a notorious reputation of falsely implicating innocent persons and that when the said fact came to light he has been suspended.

Learned counsel has further submitted that although in the case of co-accused this Court has passed an order dated 20.08.2018 (Annexure P-4) directing Senior Superintendent of Police, Fazilka to dispose of representation filed by father of a co-accused but despite the said directions nothing has been done and that the police is proceeding to file Challan against the accused without probing relevant aspects of the case.

Having heard learned counsel for the petitioner, the petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Fazilka to look into the matter and to dispose of representation Annexure P-6 expeditiously, preferably within a period of three weeks from today. In case, any material fact is noticed from the said call details of Sunny then the same be made part of the Challan. In case, the Challan has already been filed then such call details, if found to be material, may be put before the Court under the provisions of 173(8) Criminal Procedure Code.

A copy of this order along with copy of representation (Annexure P-6) be sent to respondent No.2- Senior Superintendent of Police, Fazilka so as to enable him to do the needful expeditiously.

**(GURVINDER SINGH GILL)
JUDGE**

05.09.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No