

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-7433-2016 (O&M)

Date of decision: 08.08.2018

Baljinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. NS Sodhi, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

Mr. KS Sidhu, Advocate for respondents No. 4 and 5.

Mr. LS Bhullar, Advocate for respondent No. 6.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for issuance of a direction to respondents No. 1 to 3, to protect the life and liberty of the petitioner from un-necessary harassment/sexually torture, creating mental tension by mobile call or open threats by respondents No. 4 and 5, in connivance with respondent No. 6, with ulterior motive to plant false case upon the husband of petitioner under the NDPS Act.

Learned State counsel assisted by learned counsel for respondents No. 4 to 6 submits that on the similar petitions of the petitioner bearing CRM-M-30752-2015 and CRM-M-3423-2016, levelling same allegations against the police, enquiry has been conducted twice i.e. one

of Police, Ferozepur Range, Ferozepur and another by the Deputy Superintendent of Police. The petitioner is a habitual smuggler of narcotic substances. Around 16 years back in the year 2002, the petitioner was booked in a case of smuggling of narcotics vide FIR No. 264 dated 08.09.2002, under Section 15 of the NDPS Act, Police Station City, Abohar. Another FIR No. 200 dated 12.10.2000, was registered against her under Section 15 of the NDPS Act at Police Station Jagraon. During the pendency of instant petition, husband of the petitioner, namely; Massa Singh, has been convicted under Section 21 of the NDPS Act and sentenced for 15 years vide judgment of conviction dated 18.11.2017, rendered by the learned Judge, Special Court, Moga, in case FIR No. 155 dated 18.09.2015, under Section 21 of the NDPS Act, Police Station Dharamkot, for carrying contraband worth ₹3 crores. The petitioner under the garb of filing successive petitions with mala fide intentions wants to put undue pressure upon the police not to arrest her in case, she is found or apprehended while smuggling narcotic substance.

In view of the above, this Court finds no merit in the instant petition and the same is dismissed.

August 08, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**