

233.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-638-2018

Date of decision:28.08.2018.

RAJBIR KAUR

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

This petition was registered and numbered on the basis of a representation submitted by the petitioner-Rajbir Kaur wife of Malkeet Singh, resident of Village Raja Tal, Police Station Gharinda, District Majitha. As per the representation, on 21.06.2018 at about 10 AM when her husband was going out of the house for the eye checkup of his mother and to get medicines from the doctor, in the meantime, 4/5 vehicles stopped in front of their house. Some people were in civil dress while 7/8 others were in police uniform. There were some ladies also, out of which some ladies were in police uniform whereas others were in civil dress. They took her husband Malkeet Singh with them in their vehicle in a forcible manner. She apprehends registration of a case against her husband.

Notice of motion was issued in the case and in response thereto,

State has filed reply by way of affidavit of Ravinderpal Singh, PPS, Deputy

record. In the reply, it has been stated that after the receipt of the application submitted by the petitioner-Rajbir Kaur, her statement has been recorded. She has stated that her husband indulges in trading of narcotic substances and was wanted in case FIR No.180 dated 16.12.2017 registered under Sections 411/414/489-A, B, C of IPC, Sections 25/54/59 of Arms Act and Sections 18, 21, 29/61/85 of NDPS Act at Police Station Gharinda, Amritsar-Rural and, therefore, on 21.06.2018, police had conducted raid at her house, but her husband was not found at home. Thereafter, he was arrested on 22.06.2018 by SI Prabhjit Singh of STF Border Range, Amritsar and was sent to jail, but now he is on bail. The affidavit also reflects that there are number of cases against the husband of the petitioner, the details of which are as under:-

- “1. FIR No.92 dated 19.08.2010 under Section 489-A, B, C IPC, Police Station Gharinda, Amritsar-Rural (convicted).*
- 2. FIR No.133 dated 11.05.2013 under Section 21, 22, 25, 29/61/85 NDPS Act, Police Station Civil Lines, Amritsar (Recovery 508 gm Heroin and Rs.8 Lakh Indian Currency).*
- 3. FIR No.02 dated 21.02.2013 under Section 21, 25, 29/61/85 NDPS Act, PS Civil Lines, Amritsar (Recovery 04 K.gm Heroin).*
- 4. FIR No.162 dated 17.07.2014 under Section 411, 414, 489 IPC, PS Gharinda, Amritsar-Rural.*
- 5. FIR No.15 dated 18.01.2012 under Section 61/1/14 Excise Act, Police Station Lopoke, Amritsar-Rural. (Recovery 150 Kg. Lahan-under trial).*
- 6. FIR No.199 dated 20.09.2014 under Section 21/61/85 NDPS Act, Police Station Lopoke, Amritsar-Rural. (Recovery 20 gram Heroin-under trial).”*

On the basis of statement so recorded by the petitioner, Ravinderpal Singh, PPS, Deputy Superintendent of Police, STF, Border Range, Amritsar has stated in his reply that Malkeet Singh, husband of the petitioner is a habitual offender/drug peddler and was arrested in aforesaid FIR No.180 dated 16.12.2017 registered under Sections 411/414/489-A,B,C of IPC, Sections 25/54/59 of Arms Act and Sections 18, 21, 29/61/85 of NDPS Act at Police Station Gharinda, Amritsar-Rural from his Village Rajatal. He was duly produced before the Court of Illaqa Magistrate and is now, he is on bail.

In the background of the cases registered against husband of the petitioner, as detailed above and keeping in view the statement of the petitioner as well as the reply filed on behalf of the State, this Court finds that there is no merit in the present petition.

Dismissed.

(HARI PAL VERMA)
JUDGE

28.08.2018
Sanjeev/AK

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No