

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl. Misc. No. M-26935 of 2019 (O&M)
Date of Decision: July 02, 2019

Ranjit Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Balbir Kumar Saini,
Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

As per the allegations against the petitioner he was running a Rehabilitation Centre without license and had employed certain persons, who were not qualified doctors. He had violated the rules of “The Punjab Substance Use Disorder Treatment and Counseling and Rehabilitation Centres Rules, 2011.”

Learned State counsel submits that during the investigation statements of three persons namely Gurmeet Singh, Surender Singh and Mehar Singh admitted in the Rehabilitation Centre were recorded, wherein they had stated that Rehabilitation Centre was being run by the petitioner and they paid ₹20,000/- per patient to him. Team led by Senior Medical Officer, Civil Hospital, Patti, on instructions had sealed Rehabilitation Centre but afterwards the petitioner by breaking the window removed the computer and CCTV cameras along with DVR to eliminate/destroy the

evidence.

Learned counsel for the petitioner submits that the petitioner is neither the owner nor in possession of the centre. No recovery memo was prepared at the time of alleged inspection by the team of doctors. There is no evidence of receiving any amount from the patient by the petitioner. The Direction as contained in *Arnesh Kumar Versus State of Bihar and another, 2014(3) R.C.R.(Criminal) 527* have not been complied with by police before arresting the petitioner.

The petitioner has not been arrested so far. The direction in the case cited above may be complied before arrest of the accused/petitioner, if required. The matter is still under investigation. The statements of Gurmeet Singh, Surender Singh and Mehar Singh recorded by the police, provide further reasons for investigating the case after joining the petitioner. These witnesses have alleged that centre was being run by the petitioner and they had paid admission/treatment fee to him. The fact that after sealing the premises it was broke open and certain articles were stolen from there to destroy the evidence require further custodial interrogation of the petitioner.

Keeping in view the above facts, I find no reason to allow this petition. Dismissed.

July 02, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***