

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

CWP No. 22702 of 2016 (O&M).

Date of Decision: 15.01.2019.

Baljinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Kunal Vinayak, Advocate,
for the petitioner.

Mr. Vikas Mohan Gupta, Addl. AG Punjab.

Mr. Sumeet Goel, Advocate and
Ms. Kaavya Jariyal, Advocate,
for respondent No.4-CBI.

JITENDRA CHAUHAN.J.(ORAL)

CM No. 6517-CWP-2017

The application is allowed as prayed for. Reply filed on behalf of respondent Nos.1 to 3 along with Annexure R-1 and R-2 is taken on record subject to all just exceptions. Copy has been supplied.

Main case

The prayer is to issue direction to respondents to remove the locks being put up at the residence of the petitioner.

In pursuance of the order dated 14.02.2017, the house was ordered to be de-sealed. Thereafter, the petitioner along with his family members have been continuously residing in the said house.

The learned State counsel states that raid in question was conducted on 23.09.2016 on receipt of a secret information. The Police team raided the house in question and three persons, namely, Raman Kumar, Pawan Kumar and Karan Singh were found on the spot however, two of them Raman Kumar and Pawan Kumar ran away from the spot whereas, third person, Karan Singh was arrested. He refers to chart of FIRs mentioned in paragraph No.7 of the reply that brother-in-law of the petitioner who is residing in the same house is operating in narcotics and three FIRs prior to the present FIR, namely, (i) FIR No. 142 dated 21.06.2014 under Section 21 of NDPS Act, Police Station Gharinda, Amritsar-Rural (ii) FIR No. 2 dated 03.01.2015 under Sections 21 and 22 of NDPS Act, Police Station Gharinda, Amritsar-Rural and (iii) FIR No. 33 dated 06.03.2016 under Sections 21 and 22 of NDPS Act, Police Station Cantonment, Amritsar City have already been registered against him. It has been brought to the notice of the Court that subsequent to the present FIR, another FIR under NDPS Act, 1985 stands registered against the husband and brother in law of the petitioner.

Considering the fact that the grievance of the petitioner with regard to removal of seal has already been addressed and the petitioner has been residing with other members of the family including the brother-in-law who is an accused in the FIR, this Court feels that no further action in the matter is warranted.

Disposed of.

15.01.2019.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No