

121

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

CRM-M-44808-2019

Date of Decision: 16.11.2019

Bal Krishan @ Dimpy

.. Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sekhon, Advocate for the petitioner.

...

Manoj Bajaj, J.

This petition has been filed under Section 482 Cr.P.C. seeking issuance of direction to respondent Nos. 1 to 3 for conducting fair and impartial inquiry in case FIR No.125 dated 01.12.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner contends that the petitioner was running a General Shop in partnership with Vijay Kumar, whereas the adjacent shop was being run by his brother Rakesh Kumar, who is proprietor of Durga Medical Hall. He submits that the above FIR was registered on the basis of secret information that accused/petitioner Balkrishan @ Dimpy was engaged in selling intoxicating tablets. Acting upon the same, the petitioner was arrested with intoxicating material. After completion of investigation, the final report dated 25.03.2019 was submitted. Ld. counsel has relied upon the CCTV footage installed at the shop of petitioner Balkrishan @ Dimpy to contend that he was forcibly taken away from the shop. According to him, in case the investigation is

transferred to some independent agency, then it will establish the

involvement of police officers, who have falsely implicated the accused/petitioner in the NDPS case.

After hearing learned counsel for the petitioner, this Court does not find any merit in the petition, particularly when the issues pertaining to the investigation can be raised by the accused/petitioner at the stage of framing of charges.

The petition is dismissed.

16.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No