

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

CRM-M-27080-2018 (O&M)

Date of decision: January 23, 2020

Vijay Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Abhinav Gupta, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Nitin Kaushal, Advocate
for respondent No.5.

ARVIND SINGH SANGWAN, J. (Oral)

The only prayer in this petition is for issuance of direction to respondents No.2 and 3 not to falsely implicate the petitioner and his family members at the behest of respondent No.5

Reply by way of affidavit of AIG, Intelligence, SB-II, S.A.S. Nagar Mohali is on record and as per the reply, the petitioner is involved in following FIRs :-

- (i) FIR No.49 dated 14.4.2018 under Section 61 of the Punjab Excise Act, Police Station Canal Colony, Bathinda;
- (ii) FIR No.73 dated 25.6.2010 under Sections 452/382/323/148/149 IPC, registered at Police Station Gidderbaha, District Sri Muktsar Sahib;

- (iii) FIR No.37 dated 13.5.2018 under Section 61 of the Punjab Excise Act, Police Station City-2, Abohar, District Fazilka;
- (iv) FIR No.16 dated 10.2.2001 under Sections 307/452/34 IPC, registered at Police Station Bajakhana, District Faridkot;
- (v) FIR No.112 dated 6.6.2017 under Section 6.6.2017 under Sections 52-A of the Wakf Act, registered at Police Station Canal Colony, District Bathinda;
- (vi) FIR No.122 dated 13.6.2018 under Section 61 of the Punjab Excise Act, registered at Police Station Sangat, District Bathinda;
- (vii) FIR No.49 dated 13.5.2018 under Section 473 IPC and 61/1/14 of the Punjab Excise Act, registered at Police Station Sadar, Bathinda;
- (viii) FIR No.88 dated 11.5.2018 under Section 61/1/14 of the Punjab Excise Act registered at Police Station Sangat, District Bathinda; and
- (ix) FIR No.72 dated 14.5.2018 under Section 61 of the Punjab Excise Act and 15, 18 and 21 of the NDPS Act and Section 13 of the Prevention of Corruption Act, registered at Police Station Sadar, Fazilka.

It is further stated that some other FIRs are pending against the partners of the petitioner, i.e. :-

- (i) FIR No.41 dated 8.5.2018 under Section 61 of the Punjab Excise Act, registered at Police Station Ajitwal, District Moga against Chandan

Sethi-partner of petitioner, Tirloki Nath, Nand Kishore @ Beera-cousin; and

- (ii) FIR No.57 dated 28.3.2018 under Sections 61/1/14 of the Punjab Excise Act, 420/473/120-B IPC, registered at Police Station Talwandi Sabo against Nand Kishore- cousin of petitioner and Happy Garg-partner of petitioner.

It is further stated in para 8 of this affidavit that the police of District Bathinda is not having any vindictive attitude against the petitioner as the petitioner has joined the investigation in FIR No.49 dated 13.5.2018, FIR under Sections 473 IPC and 61/1/14 of the Punjab Excise Act and the petitioner has joined the investigation in FIR No.49, 88 and therefore, investigation is being carried in legal and fair manner.

Hence the petitioner is found involved in a number of cases, which are registered in different districts and are primarily under the Punjab Excise Act as per the affidavit filed in the Court

Considering the fact that this petition is pending since 2018, no further orders are required.

Accordingly, this petition is rendered infructuous and the same is disposed of as such.

(ARVIND SINGH SANGWAN)
JUDGE

January 23, 2020
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No