

CRWP-1420-2019 (O&M)

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

**CRWP-1420-2019 (O&M).
Decided on: February 26, 2020.**

Manjit Singh

.. Petitioner

VERSUS

State

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

PRESENT Mr.Sarabjit Singh Cheema, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition is based on the complaint received in the Hon'ble Chief Justice's Secretariat sent by one Manjit Singh son of Ram Sarup son of Dalip Singh, resident of Danewala, Tehsil Sardulgarh, District Mansa, alleging that police had come to their house and had picked up his father namely Ram Sarup without any cause and that he had apprehension that the police officer which were mentioned in the application may register a false FIR against his father and that his father is confined in Police Station, Jhunir since morning and that his father has not committed any offence.

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Status report has been filed by way of affidavit of Mr.Sanjeev Goyal, PPS, Deputy Superintendent of Police, Sub Division, Sardulgarh, District Mansa, in which it has been stated that the allegations contained in the application are totally wrong. It has been further stated in the affidavit that as per the actual facts in the present case on 19.11.2019, during patrolling HC Gurpreet Singh along with Constable Chranjit Singh and PHG Jagroop Singh on the basis of suspicion had apprehended accused Ram Sarup Singh son of Dalip Singh, resident of Danewala, Tehsil Sardulgarh, District Mansa and information was sent to the Police Station, Jhunir, District Mansa, to depute some investigation officer on the spot and on receiving the information vide DDR No.23, dated 19.11.2019 at 10:24 AM, ASI Balwinder Singh posted at Police Station, Jhunir had left Police Station, Jhunir, towards the spot. i.e. near Look plant Danewala and suspect was detailed about the legal provisions as enshrined under Section 50 of the NDPS Act, on which accused had shown faith on ASI Balwinder Singh vide his separate consent memo and after disclosing the name and rank ASI Balwinder Singh had searched the suspect and during search 4 gram Heroin was recovered from the white polythene and on the basis of the recovery of heroin FIR No.216 dated 19.11.2019, under Sections 21/61/85 of the NDPS Act, was registered against the accused Ram Sarup Singh son of Dalip Singh, resident of Danewala, Tehsil Sardulgarh, District Mansa at Police Station Jhunir, District Mansa and the accused was then presented before the Station House Officer, Police Station Jhunir and legal formalities were complied with and on the next day on dated 20.11.2019, the accused was

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presented before the Illaqa Magistrate cum Sub Divisional Judicial Magistrate, Sardulgarh, District Mansa and police remand of the accused was taken by the police and thereafter on dated 21.11.2019 the accused was sent to the Judicial Custody in District Jail Mansa and thereafter on dated 25.11.2019, the accused was granted the concession of regular bail by the learned Court of Sub Divisional Judicial Magistrate, Sardulgarh, District Mansa. It has been further stated in the affidavit that apart from the above mentioned FIR total 22 FIRs were registered against the accused Ram Sarup Singh at various Police Station in State of Punjab, Haryana, and Rajasthan, in which the accused has been convicted in many of the FIRs.

In view of above stated affidavit filed by Mr.Sanjeev Goyal, PPS, Deputy Superintendent of Police, Sub Division, Sardulgarh, District Mansa, it appears that aforesaid person Ram Sarup who is stated to be father of the complainant Manjit Singh was apprehended under the NDPS Act and FIR was registered against him. Thereafter, he was duly produced before the Illaqa Magistrate and subsequently was granted bail and therefore, it is not a case to entertain the present petition. Consequently, the present – complaint is hereby dismissed.

February 26, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No