

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-7149-2021 (O&M)****Date of Decision: 16.02.2021**

Gurpreet Singh @ Gopi

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Shakti Singh, Advocate, for the petitioner.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking issuance of a direction to respondents No.2 and 3 to transfer the investigation pertaining to FIR No.338 dated 22.12.2020, registered at Police Station Sadar, Kaithal, under Sections 18-C of the NDPS Act to some independent agency like CBI or to some senior officer not below the rank of Superintendent of Police.
2. Learned counsel for the petitioner has submitted that he was in fact picked up from his house in the early hours on 22.12.2020 and was later involved in the afternoon in a false case i.e. FIR No.338 dated 22.12.2020, wherein it is alleged that the petitioner was found in possession of intoxicant substance.
3. Learned counsel has submitted that the entire occurrence of the petitioner having been taken from his house in the early hours on 22.12.2020 has been recorded in the CCTV camera/s installed on the main road by the Municipal Authorities. However, upon a query put by this Court to the counsel, as to whether the petitioner is visible in

the said CCTV footage/s, he replied in the negative and stated that the police vehicle as well as the petitioner's car, which was being driven by his uncle are clearly seen.

4. Notice of motion.
5. Ms. Sheenu Sura, DAG, Haryana, accepts notice on behalf of the respondents/State.
6. Having heard the learned counsel for the petitioner and while refraining from making any expression as regards the merits of the case, the petition is disposed of with a direction to respondent No.3 – Superintendent of Police, Kaithal to ensure that the matter pertaining to FIR No.338 dated 22.12.2020 is got examined thoroughly before a final report is submitted in the matter and to also look into the CCTV footage/s (Annexure P-1) before any final report is submitted.
7. Respondent No.3 in order to satisfy himself shall also examine the call details pertaining to the calls stated to have been made between ESI Ranjit Singh and petitioner's uncle Gurmail Singh. In case, it is found that ESI Ranjit Singh has not acted in accordance with law, then suitable action be taken against him.
8. The petitioner to furnish a copy of the CCTV footage/s to learned State counsel during the course of the day to enable her to forward the same to the quarters concerned at the earliest.
9. A copy of this order be sent to respondent No.3 - Superintendent of Police, Kaithal so as to enable him to do the needful.

16.02.2021
Vimal

(GURVINDER SINGH GILL)
JUDGE

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