

Karamvir Singh @ Kulvir Singh  
Vs.

.....Petitioner

State of Punjab

....Respondent

**CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Mr.S.P.S.Aulakh, Advocate,  
for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

**AMOL RATTAN SINGH, J. (Oral)**

Case heard *via* video conference.

The reply filed on behalf of the respondent State by way of an affidavit of the DSP, Samrala, Police District Khanna, is ordered to be taken on record.

Learned counsel for the petitioner first points out that the DSP has not bothered to check out that as regards FIR no.248, dated 26.12.2015, registered at Police Station Machiwara, the petitioner has actually been acquitted on 11.10.2019, though he admits that as regards the other FIRs registered, the matter is under consideration of the court concerned.

However, as regards the FIR in question presently, he submits that in fact the petitioner was never arrested at the place that he is alleged to have been arrested from as per the FIR; and in fact he was at home when he was summoned by the police but since he was suffering from typhoid, he could not go to police station, after which he was informed that the FIR in question has been registered.

As regards the petitioner suffering from typhoid, a laboratory report has been annexed as Annexure P-2 with the petition, dated 21.09.2020, showing some parameters as regards the Widal test, though of course there is no doctor's opinion showing that the petitioner was actually suffering from typhoid on that date. Obviously, simply on the basis of a Widal test coming positive (which as per information with this court, is not a conclusive test as regards the person actually suffering from typhoid at any given point of time, especially if he has already suffered from typhoid at any earlier point of time even years).

Upon query to learned counsel for the petitioner as to why the police would keep implicating him in different cases with no *mala fides* alleged against any police official, he has not been able to come up with any cogent answer.

That being so, without making any comment on the actual merits of the case, the petition is dismissed with the interim order vacated.

**September 22, 2021**

dharamvir

**(AMOL RATTAN SINGH)  
JUDGE**

Whether speaking/reasoned : YES  
Whether Reportable : NO