

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20592 of 2021 (O&M)

Date of Decision:07.10.2021

Vikram @ Bunty

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.D.S.Gandhi, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG., Punjab.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this writ petition is for a direction to respondent no.2- Director General of Police, Prisons, Punjab, to look into the matter, whereby multiple false FIR's are stated to have been illegally registered against the petitioner while he was in custody.

Further prayer is for a direction to respondent no.2 to form a Special Investigating Team (SIT) to investigate the veracity of FIR No. 189, Police Station Islamabad, Amritsar dated 03.06.2021, Annexure P-4, FIR No. 246, Police Station Islamabad, Amritsar, dated 06.07.2021, Annexure P-5, FIR No. 278 P.S. Islamabad, Amritsar, dated 26.07.2021, Annexure P-6, FIR No. 320 P.S., Islamabad, Amritsar, dated 27.08.2021, Annexure P-7 and to look into the matter as to how such a big quantity of intoxicant found its way into the jail premises and to take immediate action against the officers responsible for the same.

Learned counsel for the petitioner submits that while petitioner was in custody, he has been involved in four matters falsely. Said FIR's pertain to alleged recovery of mobile phones and narcotic/intoxicant substances from

the petitioner.

It is submitted that while the petitioner was in custody, it is not possible that he could have procured intoxicant substances or mobile phones and this in itself is indicative of false implication of the petitioner.

Having heard learned counsel for the petitioner, I do not find any ground whatsoever to interfere in this writ petition. At the present point of time, petitioner is confined in Central Jail, Amritsar and is admittedly involved in a number of criminal cases. As many as 21 matters are detailed in this writ petition. Merely because the petitioner is in custody, cannot be a ground to hold that he has been falsely implicated in the said matters. Moreover, there is nothing on record to indicate that life and liberty of the petitioner is in *jeopardy* in any manner at the hands of respondent-authorities.

Writ petition is accordingly dismissed.

However, keeping in view the factual matrix of the matter, respondent no.2 is directed to look into the aspect of permeation of intoxicant substances and cell phones in the hands of inmates within jail premises and take necessary steps to put in place necessary measures to plug this flow and easy access to mobile phones and intoxicant substances. Role of the police officials and employees, if at all, involved in the matter be also scrutinised carefully and necessary action taken.

Report in this respect be submitted on or before 17.01.2022.

Matter be put up for said purpose on the abovesaid date.

07.10.2021
s.khan

[LISA GILL]
Judge

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