

Sr.No.225

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

**CRWP-10579 of 2020
Date of decision:06.01.2021**

Amar Singh Singal

... Petitioner(s)

versus

State

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: By Post.

Mr. Luvinder Sofat, Asst.AG, Punjab.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been registered on the basis of complaint received by post by this Court. The aforesaid complaint was received by this Court on 10.12.2020 in which it has been stated by the Complainant namely, Amar Singh Singal son of Manjit Singh that some police officials have taken away his younger brother namely, Surinder Singh Singal @ Gagani and he is apprehending that he will be involved in some crime.

Notice in the petition was issued on 17.12.2020 and the State was directed to file an affidavit in this regard.

Today, reply has been filed by way of affidavit of Satvinder Singh Virk, Deputy Superintendent of Police, Sub Div. Faridkot on behalf of respondent State by way of e-mail. Print out of the same is directed to be taken on record.

It has been stated in the affidavit that on 01.12.2020 the police had apprehended two boys namely, Yadwinder Singh son of Balwinder

Singh and Gurpreet Singh son of Harbans Singh and after being searched 65/65 gm of Heroine was recovered from the possession of both the accused. Thereafter, both the accused were produced before the Illaqa Magistrate on 02.12.2020 and obtained police remand till 04.12.2020. On the basis of inputs from the two aforesaid accused, the present petitioner namely, Surinder Singh @ Gagani son of Manjit Singh Fouji and four other persons were nominated as accused and there was an enhancement of offence by adding Section 29 of NDPS Act vide DDR No.24 dated 03.12.2020.

On 05.12.2020 the younger brother of the complainant namely, Surinder Singh @ Gagani and son of Manjit Singh Fouji was nabbed from his house and at the time of arrest of the aforesaid Surinder Singh @ Gagani the police also recovered 5 gms of Heroin, currency note of Rs.2,06,000/- as drug money, one electric scale(computer Kanda) and 21 transparent polythene, one mobile phone from the possession of the accused Surinder Singh @ Gagani. The notice of the arrest was served upon the mother of the accused namely, Manjit Kaur and as such the present complainant has full information and knowledge about the involvement of his brother Surinder Singh @ Gagani in the aforesaid criminal case but still the present complaint has been filed with ulterior motive. It is further stated in the affidavit that the brother of complainant has been arrested in a proper manner and in accordance with law during the course of investigation. The accused Surinder Singh @ Gagani was produced before the Illaqa Magistrate, Faridkot on 06.12.2020 and police remand was obtained and thereafter, he has been sent in the judicial custody.

In view of the details which have been given in the aforesaid affidavit filed by the State, no case is made out for the grant of writ in the

nature of habeas corpus or any other writ whatsoever. Consequently, the present petition is dismissed.

6th January, 2021

Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>