

**202-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-22180-2020

Date of Decision-15.02.2021

Sukhbir Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. A.P.S. Shergill, Advocate
for the petitioner.

Mr. Gaurav Dhuriwala, D.A.G., Punjab.

(Proceedings are being conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

Petition has been filed under Article 226/227 read with Article 215 of the Indian Constitution for the issuance of writ of mandamus or any other appropriate writ directing the respondents to show cause as to why the petitioner is being threatened with false implication in the FIR No.293 dated 23/11/2020, registered at Police Station City Tarn Taran, District Tarn Taran under Sections 409/419/467/468/471/473/120-B IPC against Karwinder Singh Cheema and Manjinder Singh alias Mani (Annexure P-3) with which the petitioner has no concern whatsoever.

In pursuance of order dated 21.12.2020, short reply by way of soft copy of affidavit of Sukhdeep Singh, PPS, Deputy Superintendent of Police, PBI & NDPS, District Tarn Taran, has been filed on behalf of respondent Nos.2 and 3. The original affidavit be filed in the office in the next two days Relevant part from the reply reads as under:-

“That it is respectfully submitted that the brief facts pertaining to the present case are that present case FIR No.293 dated 23.11.2020, under Section 409/419/467/468/471/473/120-B of IPC has been registered at police station City, District Tarn Taran against Karwinder Singh Cheema and Manjinder Singh alias Mani.

That it is pertinent to mention here that the petitioner is not an accused in the above said FIR and the petitioner neither required in the above said case nor the petitioner was ever called by the investigating officer in the present case and it is totally incorrect and specifically denied that the respondents are harassing the petitioner and consequently violating his right to life and personal liberty as envisaged under article 21 of the Indian Constitution as falsely alleged by the petitioner.

That when the petitioner is neither named nor required in the present case, the apprehension of the petitioner regarding his implication in the present case is totally without any basis. If during the course of investigation, the incriminating evidence regarding the involvement of the petitioner in the above said matter will come on record, in that contingency proper procedure will be followed as warranted under the law of the land”.

Keeping in view the above reply, learned counsel for the petitioner is satisfied that no further action is required in the present petition.

Since the respondents are categorical as the present writ petition is not required as had been alleged, the present writ petition stands disposed of.

15.02.2021

ps-I

Whether reasoned/speaking
Whether reportable

(G.S. SANDHAWALIA)
JUDGE

Yes/No
Yes/No