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

(Through video-conferencing)

CRWP No.1421 of 2019

Date of Decision: 14.09.2021

GEETA

.....Petitioner

Vs

STATE

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

By Post

Present: Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

A complaint was received in the Secretariat of Hon'ble the Chief Justice and the same was registered as criminal writ petition.

The applicant has alleged that her husband Vikas had gone to meet his relatives at Ferozepur City. On 21.11.2019 at about 9/9.30 P.M., he made a call to the applicant that he had reached Ludhiana and would arrive at home very soon. But thereafter he did not reach home, nor contacted the applicant.

Notice of motion was issued on 04.12.2019 and learned State counsel sought time to file status report.

In compliance of the aforesaid order, status report by way of affidavit of Jashandeep Singh Gill, PPS, Assistant Commissioner of Police (South), Ludhiana has been filed.

Para Nos.4 and 5 of the status report read as under:-

“4. That the police party reached at the Sua situated in the way to Village Kheri where petitioner's husband was standing on his above said motorcycle and on seeing the police party, he got down from his motorcycle and tried to run away but he was apprehended by the police party and he disclosed his name as Vikas Kumar. In the meantime, the said police party was also joined by SI Rajinder Kaur who was sent at the spot by the SHO and the said SI Rajinder Kaur conducted the search of the petitioner's husband during which 5 Grams Heroin was recovered from the pocket of his shirt. Accordingly the accused was arrested and information about his arrest was given to the present petitioner who also duly signed the Arrest Information Memo. Thereafter the accused was produced before the Ld. Magistrate on 23.11.2019 who further sent the accused in judicial custody. He was granted regular bail by the Ld. Trial Court vide order dated 07.12.2019. At present he is on regular bail in the present FIR No.176 dated 22.11.2019. Thus, it seems that the present petition has been filed by the petitioner to create some false defence.

5. That the husband of the petitioner is a habitual offender and apart from the above noted FIR, another FIR No.51 dated 24.04.2019, u/s 22 NDPS Act, P.S. Sadar, Ludhiana has also been registered against the husband of the petitioner in which 60 Grams Heroin was recovered

from him and thereafter he was released on bail and now on 22.11.2019, he has again been apprehended with 5 Grams Heroin as mentioned above.”

In view of aforesaid status report, no further order is required to be passed in this petition. The same stands disposed of.

September 14, 2021
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No