

CRWP-1040-2021

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

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Date of decision:15.12.2022

Surjit Singh @ Meeta

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. A.S.Brar, Advocate,
for the petitioner.

Mr. Pankaj Khullar, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of directions to respondents No.2 to 4 to take action against respondents No.5 and 6, who had helped the drug peddlers to wriggle out the clutches of law and misappropriated 03 bags of poppy husk, and further to protect the life and liberty of the petitioner and his family members at the hands of respondents No.5 and 6 and their private goons.

Learned counsel for the petitioner contends that the petitioner, who was the President of the Truck Union, moved a complaint to the police against one Dr. Ashok Pal Singh qua selling of intoxicating tablets in the village and that the decoy customer sent by the petitioner, had purchased a strip of intoxicating tablets from Dr. Ashok Pal Singh, for a sum of Rs.200/-. He further contends that photographs of the strip of Tramadol Tablets and the currency notes, had been sent to respondent No.5 qua Dr.

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Ashok Pal Singh; that the police raided the house of Dr. Ashok Pal Singh and recovered strips of intoxicating tablets, but instead of registering a case under NDPS Act, the police had registered a case under Excise Act against Dr. Ashok Pal Singh; that aggrieved by the aforesaid misconduct of the police, the petitioner moved the representation dated 08.01.2021 (Annexure P-6) to DGP, STF, Chandigarh; that Harkirat Singh and Gursewak Singh, who were joined during inquiry, had convinced respondents No.5 and 6 to register a case under Excise Act, against Dr. Ashok, but not under the NDPS Act.

Learned counsel for the petitioner further contends that there is another instance where few bags of poppy husk recovered from the house of Chand Singh, were also misappropriated by respondents No.5 and 6. Learned counsel further contends that the petitioner was never associated in the inquiry conducted by the police authorities.

On the other hand, learned State counsel submits that during the inquiries conducted into the complaints/representations moved by the petitioner, Superintendent of Police (Headquarters), Moga, and the Deputy Superintendent of Police, Nihal Singh Wala, had not found any substance therein. However, learned State counsel submits that it is not clear as to whether statement of the petitioner was recorded during the inquiries.

I have heard the learned counsel for the parties.

Keeping in view the allegations made by the petitioner against respondents No.5 and 6, who are police officials, but without commenting on the merits of the case, the present petition is disposed of with a direction to DIG, Faridkot Range, to appoint an officer not below the rank of the

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Superintendent of Police, who shall consider and decide the representations
(Annexures P-5 and P-6) moved by the petitioner, in accordance with law.

15.12.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No