

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

246

CRM-M-28943-2019(O&M)

Date of decision: 17.10.2022

MANOHAR SINGH

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Randeep Singh, Advocate for
Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Kamalpreet Singh Bawa, AAG Punjab.

AMAN CHAUDHARY. J. (ORAL)

This is a petition filed under Section 482 CrPC for issuance of appropriate directions to entrust investigation in case bearing FIR No.44 dated 10.04.2019 under Section 21 and 61 of the NDPS Act, 1985 registered at Police Station Sadar Batala, District Batala to an independent agency like Bureau of Investigation Punjab.

Notice of motion in this case was issued on 18.07.2019, pursuant to which reply dated 13.08.2019 by way of an affidavit of S.P.S. Parmar, IPS, Inspector General of Police, Border Range, Amritsar has been filed.

Learned State counsel refers to Para No.7 of the reply, which reads thus:-

“7) That it is humbly submitted that keeping in view totality of the facts and submissions made herein above, it is evident that Gurpreet Singh @Gopi @ Goli, nephew of the petitioner is a history sheeter (B.C of category 'A') and also gangster related to the infamous and dreaded Gangster namely "Jagdeep Singh

@ Jaggu Bhagwanpuria". The petitioner is also involved in drugs peddling and he himself is drug addict. Gurpreet Singh @ Gopi @ Goli is involved in other 9 FIRs. The alleged incident of 09/04/2019 has not been proved as per the enquiry got conducted by SSP Batala. The locations of mobile phone NO ondra Pegd. No 8243 numbers of Gurpreet Singh @ Gopi @ Goli, SI Daljit Singh and ASI Vijay Kumar on 09/04/2019 at the relevant alleged point of time have been Ffound at different places, which falsifies the allegations being leveled in the present petition by the petitioner. Therefore, the present petition is liable to be dismissed."

Learned State counsel on instructions from ASI Surinderpal Singh states that challan in the FIR has already been presented on 01.07.2019; charges have been framed; prosecution evidence is going on and thus submits that the instant petition has been rendered infructuous.

In view of the above, learned counsel for the petitioner has expressed his satisfaction and submits that the instant petition has been rendered infructuous.

Disposed of as having been rendered infructuous.

(AMAN CHAUDHARY)
JUDGE

October 17, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>