

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106-2

Decided on : 01.05.2023

(I) CRWP No. 100 of 2023

Jasvir Kaur and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

(II) CRM-M-7603-2023

Kamlesh Kaur

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Balram Singh, Advocate
for the petitioners in CRWP No. 100 of 2023.

Mr. J. S. Arora, DAG, Punjab.

Mr. J. S. Bains, Advocate for the petitioner
in CRM-M-7603-2023.

SANJAY VASHISTH, J. (Oral)

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1. Petitioners i.e. petitioner No. 1-Jasvir Kaur, aged 47 years and petitioner No. 2-Kamlesh Kaur, aged 30 years have filed the instant petition seeking direction to the official respondents No. 1 to 3, who allegedly are in connivance with respondents No. 5 to 9 are harassing and humiliating the petitioners without there-being any fault on their part.

2. Status report dated 20.01.2023 filed by learned State counsel on behalf of respondents No. 1 to 3 on the previous date of hearing, is already available on record.

3. While referring to paragraph No. 5 of the said status report, learned State counsel points out that in fact petitioners and members of their family are involved in several criminal cases including the offence under NDPS Act. He also points out that earlier petitioner No. 1 was involved in

four criminal cases and had already been convicted in two of the cases including the cases under NDPS Act. Counsel also submits that one case is also registered against her husband, namely, Jaswant Singh, who has expired.

Details mentioned regarding the criminal cases and its status against petitioner No. 1 Jasvir Kaur @ Jogan, are as under:

Sr. No.	FIR No. Date, under Section and police Station	Recovery	Current status
1.	FIR No. 186, dated 02.10.2016, u/s 21/61/85 NDPS Act Police Station, Sadar Jalandhar	5 gram Heroine	Convicted on 02.05.2019 by the Court of ld. ASJ Jalandhar
2.	FIR No. 68, dated 15.03.2002 u/s 15/61/85 NDPS Act, Police Station Shimlapuri, Ludhiana	1240 kg Poppy husk	Convicted on 16.10.2004 by the ld. Trial Court.
3.	FIR No. 66, dated 22.03.2000, u/s 15/61/85 NDPS Act, Police Station Phillaur Jalandhar	90 KG Poppy Husk	Challan Submitted before the learned Trial Court on 19.06.2000
4.	FIR No. 72 dated 20.05.2015, u/s 21/61/85 NDPS Act, Police Station Goraya, Jalandhar (Rural)	5 Gm Heroine	Against the husband of Jasvir Kaur, now deceased. Trial abated on 15.07.2017.
5.	FIR No. 155, dated 22.11.1993, u/s 15/61/85 NDPS Act Police Station, Noormehal Jalandhar (Rural)	14 kg Poppy Husk	Acquitted on 12.07.2000 by the ld. ASJ Jalandhar.

4. Mr. Arora, learned State counsel, also refers to the cases registered against petitioner No. 2- Kamlesh Kaur and trial in all those cases are yet to be finalized. Details of said cases in tabulated form are mentioned here-in below:-

Sr. No.	FIR No. Date, under Section and police Station	Recovery	Current status
1.	FIR No. 77, dated 22.06.2019, U/s 22/61/85, NPDS Act, Police Station Sadar Jalandhar	350 Capsules and 300 Tablets (recovery)	Challan Submitted before ld. Trial Court on 24.01.2020.
2.	FIR No. 256, dated 08.11.2020, under Sections 21, 22, 29 NDPS Act, Police Station Sadar Jalandhar	1.5 gram heorine and 35 tablets of Alprazolam	Challan Submitted before ld. Trial Corut on 15.09.2021

5. State counsel further submits that not only this one Surjit @ Jeeta, who is husband of the petitioner No. 2 is also involved in 06 criminal

cases and 4 out of those cases are under the NDPS Act and in 3 cases, he has already been convicted. Details of said cases including the conviction in case under Section 304-A IPC are here below:-

Sr. No.	FIR No. Date, under Section and police Station	Recovery	Current status
1.	FIR No. 07, dated 02.10.2013, u/s 22 NDPS Act Police, Station, Sadar Jalandhar	255 Gram INT Powder	Convicted on 13.10.2014 by the Court of Ld. ASJ, Jalandhar.
2.	FIR No. 131, dated 02.04.2013, u/s 22 NDPA Act, Police Station, Sadar Jalandhar	110 Gram INT Powder	Convicted on 02.06.2015 by the Court of ld. ASJ, Jalandhar
3.	FIR No. 139, dated 21.05.2020, u/s 188 IPC, Section 3 Epidemic Act, Police Station, Sadar Jalandhar	—	Challan submitted before learned Trial Court on 10.06.2020
4.	FIR No. 135, dated 03.07.2015, u/s 21 NDPS Act, Police Station, Jalandhar	7 Gram Heorine.	Challan Submitted before ld. Trial Court on 13.11.2015
5.	FIR No. 73, dated 18.05.2016 u/s 21 NDPS Act Police Station Sadar Jalandhar.	3 gram Heroine	Convicted on 08.07.2019 by the Court of ld. ACJM, Jalandhar.
6.	FIR No. 65, dated 26.05.2016 u/s 279, 337, 338, 304-A IPC, Police Station Goraya, Jalandhar (Rural)	—	Convicted on 11.03.2019 by the Court of Sh. Ravipal Singh JMIC, Phillaur Jal.

6. Since petitioners, who are related as sisters-in-law (*Devrani* and *Jehtani*), and the other members of their family are involved in several criminal cases and are committing crime against society, especially against the youths of the State, one *Naka* has been installed near the house of the petitioners for the purpose to have regular check up about the affairs in regard to illegal activities done by the petitioners. Factum of installation of the *Naka* has already been admitted by the petitioners in paragraph No. 4 of the petition.

7. State counsel further submits that in fact present petition is frivolous because it is being filed by the petitioners with the purpose to pressurize the police for removal of said *Naka* installed in front of their house.

8. After considering the submissions addressed by the counsel and the pleadings mentioned in the petition and also the submission as addressed

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by learned State counsel, this Court find that present petition is misconceived and same has been filed with some ulterior motive, therefore, findings no substance, present petition stands dismissed.

9. Dismissed.

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1. In view of the observations made here above in CRWP No. 100 of 2023, there is no substance in the present petition, accordingly, same stands dismissed.

2. Dismissed.

Photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

01.05.2023

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No