

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRWP-360-2023

Decided on : 29.03.2023

Sukhdev Singh @ Sukha Bhullar

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Dr. Naresh Kaushik, Advocate &
Mr. Pankaj Attri, Advocate
for the petitioner(s).

Mr. JS Arora, DAG, Punjab
assisted by ASI Kulbir Singh.

SANJAY VASHISTH, J. (Oral)

In compliance to the order dated 16.01.2023, short reply dated 29.03.2023, by way of affidavit of Preetinder Singh, PPS, Deputy Superintendent of Police, Sub Division Valtoha, Camp at Bhikhiwind, District Tarn Taran, on behalf of the respondents No.1 to 4, has been filed by learned State counsel, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

Contention of the petitioner as recorded in order dated 16.01.2023 says as under:

“This is the petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for seeking direction to the police to protect life and liberty of petitioner and his family members.

Para 3 and 4 of the petition says as under :

“ 3. That the family members of petitioner are being called in police station and made to sit for whole day. On enquiry police said that petitioner is involved in some criminal cases but no details of FIR, complainant or otherwise is being given about the cases if any against the petitioner.

4. That the life and liberty of the petitioner and his family is in danger. Police personnel has visited the house of petitioner and numerous dates like 07.09.2022, 17.09.2022, 25.09.2022, 08.10.2022 and 26.10.2022. Always petitioner family members are called in police station.”

Notice of motion for 24.01.2023.

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On asking of the Court, Mr. Anmol Singh Sandhu, AAG, Punjab, who is present in Court, accepts notice on behalf of respondents No.1 to 4 (State), and seeks time to file status report. ”

Learned State counsel argues that petition filed by the petitioner is misconceived and thus, liable to be dismissed as he himself is involved in many criminal cases as he has been nominated in two criminal cases under NDPS Act.

Para Nos. 3 & 4 of the said short reply says as under:

“3. That adumbrated facts leading to this case are that on 04.11.2021 the police of PS Valtoha and BSF have arrested two accused persons namely Gurlal Singh son of Sarwan Singh and Lakhwinder Singh son of Geja Singh, both residents of village Thathi Jaimal Singh, Tehsil Patti, District Tarn Taran and from whom their possession 950 gram Heroin was recovered and in this connections, High Court of PB. & Haryana Chandigarh bearing FIR No. 94 dated 04.11.2021 under section 21, 29, 61, 85 of the NDPS Act, PS Valtoha was registered against the above named persons and during the interrogation they disclosed that the petitioner is also involved in the drug consignment and accordingly, he was also nominated as accused in the said FIR vide DDR 22 dated 07.11.2021 and after his nomination, in order to arrest him, regular raids were conducted, but he could not be arrested. Accordingly, an application for issuance of his arrest warrants has been filed before the Court of learned Illaqa Magistrate, Patti, District Tarn Taran.

4. It is further submitted that even a another FIR No. 62 dated 13.04.2019 under section 21, 61, 85 of the NDPS Act and 188 IPC, Police Station Sadar Patti, District Tarn Taran is also registered against the petitioner and others and in this case 01 kg Heroin was recovered.”

Faced with the situation, counsel for the petitioner does not press the present petition to enable him to avail remedial steps available to him under the law.

In view of the statement of counsel for the petitioner, present petition stands disposed of, being not pressed.

(SANJAY VASHISTH)
JUDGE

March 29, 2023

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