

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

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CRWP-3762-2023 (O&M)
Date of decision: 04.09.2023

Shampy Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Ms. Gurpreet Kaur, Advocate for
Mr. LS Sekhon, Advocate for the petitioner.

Mr. HS Sullar, Sr. DAG, Punjab.

AMAN CHAUDHARY, J

1. This petition has been filed for issuance of directions to respondents No.1 to 3 to protect the life and liberty of the petitioner and his family members from the hands of police officials of CIA Samana, PS City Saman and PS Sadar Samana and to release the vehicle of the petitioner bearing No.PB-10-1720.

2. Learned State counsel refers to reply dated 03.07.2023 filed by way of affidavit of Dy. Superintendent of Police, Detective, Patiala, in particular to para 10 and 11 thereof, which read thus:-

“10. That the contents of para No. 10 of the petition are totally wrong and denied. No case has been planted by the police authorities, on the other hand, it is Jagraj Singh @ Joga brother of the petitioner who revealed the name of the petitioner to the effect that he had escaped from the spot when the police apprehended Jagraj Singh @ Joga and a recovery of 300 GM intoxicant powder was affected from the car. When the petitioner had obtained interim bail from the Hon'ble High Court vide order dated 13.04.2023, the petitioner did not join the investigation immediately despite notice served in the matter and rather, he resorted to file present false petition on 18.04.2023 in a clandestine manner just to raise a false ground in the case. The petitioner had only joined

investigation on 26.04.2023 and no overt act was ever committed by any police official. It has become tendency of the wrongdoers to level baseless allegations against the police authorities to save their skin in criminal proceedings.

11. That the contents of para No.11 of the petition are totally wrong and denied. The petitioner did not hesitate from levelling vexatious, malicious and untrue allegations against the police officials. No such acts had ever been committed by any police official. On the other hand, these allegations have only been levelled by the petitioner to take undue advantage in the case against him. As far as the vehicle Maruti Car No. PB-10-BR-1720 is concerned, the said vehicle has been impounded by the police of Police Station City Samana vide Challan dated 05.03.2023 U/s 207 of Motor Vehicle Act as the said vehicle was being plied without any documents of the car. Thus, no illegality has been committed in the confiscation of the above mentioned vehicle as per rules.”

3. Learned State counsel while referring to para 15 of the said reply submits that it has been specifically denied therein that any representation as stated by the petitioner in this petition was found to be filed by him. Still further on instructions, submits that the petitioner stands arrested in another case under NDPS Act on 24.08.2023.

4. In view of the above, no further orders are required to be passed and the present petition is disposed of as having been rendered infructuous.

04.09.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No