

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

290 (4 cases) CRM-M-43680-2017
Date of Decision: 14.02.2023

Lakhmir Singh ...Petitioner

Versus

State of Punjab and Others ...Respondents

WITH

CRM-M-5801-2011 (O&M)

Lakhmir Singh ...Petitioner

Versus

State of Punjab and Others ...Respondents

WITH

CRM-M-6081-2018

Lakhmir Singh ...Petitioner

Versus

State of Punjab and Others ...Respondents

AND

CRM-M-34653-2018

Lakhmir Singh ...Petitioner

Versus

State of Punjab and Others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- None for the petitioner

Mr. Amish Sharma, AAG, Punjab
(assisted by SI Dilbagh Singh, P.S. Singh Baghwantpur,
Ropar and ASI Baljit Singh, P.S. Sadar Khanna)

JAGMOHAN BANSAL, J. (ORAL)

Through this common order, four petitions bearing Nos. *CRM-M-43680-2017*, *CRM-M-5801-2011*, *CRM-M-6081-2018* and *CRM-M-34653-2018* are disposed of because all the petitions are interconnected.

The facts of the case are that petitioner allegedly informed police about presence of contraband articles. On the basis of information of the petitioner, the police effected recovery of heroin. An FIR No.80 dated 17.04.2010 came to be registered under Section 21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS Act**') at Police Station Sadar, Khanna. The police completed investigation and filed its report which culminated into framing of charges against accused. The Trial Court after considering documentary and oral evidences vide judgment dated 12.02.2016 held Bhupinder Singh and Gurmail guilty of offence punishable under Section 21 of NDPS Act and awarded sentence of 10 years. The petitioner is seeking cash award with respect to his information.

An FIR No.63 dated 06.09.2017 came to be registered under Sections 420, 354-B and 323 of IPC against the petitioner. The petitioner alleged that he has been falsely implicated. The petitioner filed CRM-M-43680-2017 and CRM-M-6081-2018 seeking protection of life and liberty and transfer of investigation of FIR No.63 dated 06.09.2017 out of District Ropar.

Learned State counsel, on instructions from SI Dilbagh Singh and ASI Baljit Singh, submits that FIR No.80 dated 17.04.2010 stands concluded by way of judgment of conviction. The police after completing investigation has filed challan qua FIR No.63 dated 06.09.2017, thus, all the four petitions have rendered infructuous. There is no threat to life and liberty of the petitioner. The petitioner is intentionally avoiding the proceedings before this Court.

There was no representation of the petitioner on 09.02.2023 and even today, there is no change in the situation.

The cash award on account of recovery of contraband is not a matter of right. It is wisdom and policy of competent authority to look into nature of information and conduct of the informant. The FIR No.80 dated 17.04.2010 stands concluded by way of conviction and as stated by learned State counsel, there is no threat to life and liberty of the petitioner. The challan stands presented qua FIR against the petitioner. He has every right to avail remedies as permissible by law.

In view of above facts and circumstances, no further order is warranted and all the petitions stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

14.02.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*