

CRWP-6655-2022

Date of Decision:30.01.2023

Rajwinder Saroye

...Petitioner

vs.

U.T Chandigarh and others

...Respondents

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Mohd. Yousaf, Advocate and  
Mr. Ishan Khetarpal, Advocate for  
Ms. Tanu Bedi, as Amicus Curiae  
for the petitioner.

Mr. A.M Punchhi, APP, U.T Chandigarh with  
Ms. Vasundhara Dalal Anand, APP, U.T Chandigarh  
for respondent No.1.

Mr. Satya Pal Jain, Ld.Addl.Solicitor General of India, assisted  
by Ms. Puneeta Sethi, Advocate for respondents No.2 and 3.

\*\*\*

**N.S.Shekhawat J. (Oral)**

In compliance of the last order dated 25.01.2023, Constable Jai Singh, Intelligence Officer Rahul Saini, Constables Vipin Kumar and Ramesh Kumar are present in person.

Mr. Kuldeep Chahal, the then SSP Chandigarh along with Ms. Manisha Chaudhary, SSP Chandigarh are present in person.

Mr. Amanjit Singh, Zonal Director, NCB is present in the Court and has informed the Court that the following three actions have already been taken against Intelligence Officer Rahul Saini, Constable Vipin Kumar and Constable Jai Singh:-

- (a) A complaint has been lodged for gross mis-conduct against the three officials, by Zonal Officer, NCB.
- (b) Entry qua mis-conduct has been made in the Annual

Performance Appraisal Report of all the three officials.

(c) Preliminary enquiry has been initiated against three officials which shall be conducted by Assistant Director.

It is expected that appropriate action shall be taken against all the three officials as per law within a period of three months and the outcome of the same shall be communicated to the Registrar General of this Court. All the three officials have appeared in person and apologized for their mis-conduct to the Warrant Officer, who is present in the Court.

Mr. Kuldeep Chahal, the then SSP Chandigarh has filed his affidavit and the same is taken on record. He has sufficiently explained his position and submitted that he made all efforts to provide all possible efforts to the Warrant Officer appointed by this Court.

In view of the statement made by Mr. Amanjit Singh, Zonal Director, NCB and Mr. Kuldeep Chahal, the then SSP Chandigarh no further directions are required in this case.

The main petition was filed with a prayer for the issuance of a writ in the nature of habeas corpus to release the detainee namely, Yogesh Kumar and as per counsel for NCB, Yogesh Kumar has already been released and he was only questioned by the NCB in accordance with provisions of law.

In view of the above, no further orders are required and the present petition stands disposed of accordingly.

30.01.2023  
hitesh

**(N.S.SHEKHAWAT)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No