

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

114. CRWP No.630 of 2024 (O&M)
Date of Decision:12.02.2024

Simarjit Kaur @ Simranjit Kaur ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India praying for issuance of a direction to the official respondents No.2 and 3 to protect the life and liberty of the petitioner at the hands of respondent No.4 and other police officials, with further direction to transfer the investigation in FIR No.214 dated 23.11.2023 registered under Sections 21 (c), 25 of the NDPS Act at Police Station Nehianwala, District Bathinda to some other police station or some senior police officer/independent agency.
2. Learned counsel for the petitioner *inter alia* contends that respondent No.4, who is the investigating officer in the FIR (supra), has falsely implicated the son of the petitioner. The son of the petitioner was arrested from Jeeda Toll Plaza at around 11 PM whereas his arrest in the FIR is shown at 11.15 PM from some other place and the said factum can be verified from the CCTV footage of area.

3. Per contra, learned State counsel, who appears on advance notice, on instructions from ASI Sucha Singh submits that son of the petitioner was arrested and 253 grams of heroin was recovered from his conscious possession, which falls within the ambit of commercial quantity. It is further submitted that son of the petitioner is involved in two more cases, out of which one is under the NDPS Act.

4. Having heard learned counsel for the parties and after perusing the record, this Court finds no ground to issue any direction as sought by the petitioner in the present petition, as the defence set up by the petitioner cannot be appreciated by this Court, which is a matter of evidence.

5. Dismissed.

(HARPREET SINGH BRAR)
JUDGE

February 12, 2024
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No