

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRM-7886-2024
Date of Decision: 14.03.2024

Sunil Kumar @ Sonu ...Petitioner
V/s
State of Punjab and others ...Respondents

CORAM : HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 (for short “the Cr.P.C”) is for the issuance of a direction to respondent Nos.1 to 3 for carrying out a fair and proper investigation in the FIRs (Annexures P-1 to P-4), by constituting a Special Investigating Team (SIT) headed by a senior officer or by transferring the investigation to some independent agency.

2. The basic case set out in the petition is that the petitioner is being repeatedly arraigned as an accused in FIRs while being in custody by recording his disclosure statement.

3. It has been averred that six FIRs already stand registered against him for alleged recovery of very small quantity of narcotics. The positive case set out in the petition is that the petitioner is being falsely implicated by the lower rung officials.

4. On advance notice having been served, Mr. Jasjeet Singh Dhaliwal, AAG, Punjab is present in Court on behalf of the respondent-State. He submits that there are eight FIRs registered against the

petitioner. Out of which, seven FIRs are under the NDPS Act, 1985 and one is under the IPC. He further submits that the petitioner already stands convicted in three cases and in FIR No.123, dated 09.07.2022, registered under Sections 21 and 22 of the NDPS Act, at Police Station Bhargo Camp, District Police Commissionerate, Jalandhar, he is yet to apply for bail.

5. I have considered the submissions made by learned counsel for the parties.

6. As per the details given in the petition, the petitioner is an accused in six cases registered under the NDPS Act. Learned counsel representing the State of Punjab has apprised the Court that apart from six FIRs, there are two FIRs and the petitioner already stands convicted in three cases. This Court, therefore, does not intend to examine the veracity of the allegations levelled against the petitioner in detail. However, at the same time, the allegations of false implication need to be gone into.

7. In view of the above, the present petition is disposed of with a direction to respondent No.3 to look into the representation (Annexure P-8) submitted by the petitioner and take action upon the same, if so warranted, in accordance with law.

(VIKRAM AGGARWAL)
JUDGE

March 14, 2024
vcgarg

Whether speaking/reasoned : Yes
Whether reportable : No