

**CRM-M-10155-2024****1****IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-10155-2024****Date of decision : July 23, 2024**

Dalip Kumar

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. KS Brar, Advocate, for the petitioner
Mr. Pardeep Bajaj, DAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. Through this petition filed under Section 482 Cr.P.C., prayer has been made for issuance of direction upon official respondents, to take action against respondents no. 4 to 6, who according to the petitioner, have illegally raided the house of the petitioner, and took away some of the articles including motorcycle.

2. Upon notice, status report has been filed. The allegations, as alleged in the instant petition, were inquired into by the Deputy Superintendent of Police, Sub Division, Faridkot. The CCTV footage has been examined, and all the allegations were found to be false. The relevant extract of the affidavit (*supra*) reads as under:-

“(3) That the authorities had deputed answering deponent to



probe into the allegations made by petitioner in the present petition against private respondents with regard to taking away valuable articles and jewellery during search of his house. Answering deponent has personally questioned the petitioner, who specifically replied that he had no CCTV footage to prove his allegations. Even the petitioner admitted that the photographs attached with the petitioner are not relating to his house. Further petitioner admitted that he was already indulge in the offence under NDPS Act.

(5)That detailed enquiry was conducted from all aspects of the case and mobile tower locations of the respondent no. 5 and 6 was also examined which do not reflect the location of respondent no. 5 and 6 at the house of petitioner at relevant time. Further the pictures produced by petitioner are also false and do not connect to the house of petitioner. The facts came in light during enquiry, unambiguously indicating that the complaint made by petitioner is false and there is not an iota of fact in the allegations made by petitioner against respondent no. 5 and 6, therefore the complaint of petitioner was recommended to be consigned by answering deponent vide his fact finding report no. 350-PC-R-DSP-FDK dated: 29-4-2024 and same got approval by Sr. Supdt of Police, Faridkot on 04-5-2024.”

3. It further reflects from the perusal of the affidavit (*supra*) that the petitioner is a habitual offender, and facing trial in cases of NDPS Act, and is found involved in the following FIRs:-

<i>Sr. No.</i>	<i>FIR No.</i>	<i>Under Section</i>	<i>Status</i>
1	204 dated 12.6.2022	21-A-61-85 NDPS Act, P.S. City Faridkot	
2	144 dated 23.4.2023	379/411 IPC, P.S. City Faridkot	
3	102 dated 25.3.2024	21-A NDPS Act, P.S. City Faridkot	



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4. It seems that the instant petition has been filed in order to create false defence in favour of the present petitioner. The instant petition has been filed by the petitioner even by affixing photographs, mentioning these to be of the locality of the petitioner, but those pertains to different places. In fact, these photographs have been uploaded by the police officials, on their official websites.

5. In view of the above facts and reasons, the instant petition is **dismissed**.

July 23, 2024

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(KULDEEP TIWARI)

JUDGE

<i>Whether speaking/reasoned ?</i>	Yes/No
<i>Whether Reportable ?</i>	Yes/No