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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-9138- 2024

Date of Decision: 19.09.2024

Tirath Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr.Suneel Sharma, Advocate for the petitioner

Mr.Kewal Singh, Addl.A.G., Punjab

Amarjot Bhatti, J.

1. Petitioner-Tirath Singh has filed this petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing respondents no.2 to 4 to protect the life and personal liberty of the petitioner and also directing respondent no.5 not to interfere in the life and liberty of the petitioner.

2. Petitioner's younger son Jaspreet Singh @ Jassa is involved in RC-21/2023/NIA/DLI, under Sections 17, 18, 18-B, 20, 38, 39 of the UAPA Act, 1967 and 25 of Arms Act, 1959, Sections 18, 21 of NDPS Act. He is in judicial custody. The petitioner has received notice dated 29.8.2024 (Annexure P-1) for appearance before the NIA on 2.9.2024 at 10.00 a.m to answer certain questions related to the aforesaid case. The petitioner has failed to appear before the NIA on the said date.

3. Learned counsel for petitioner states that the petitioner is ready to join investigation. Petitioner's life and liberty may be protected. The

petitioner insists that he may be allowed to appear before the NIA alongwith his counsel.

4. I do not find any force in the submissions of the learned counsel for the petitioner. The writ jurisdiction under Article 226 of the Constitution of India is not a substitute, to the remedy as sought by the petitioner and the same may be invoked only in exceptional cases for securing liberty. The petitioner may join investigation, as per rules. In case there is any apprehension of arrest, the petitioner may file application for anticipatory bail. No further direction is required in this matter.

6. Disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

19.09.2024
MFK

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