



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-10254-2024

Date of decision : 25.10.2024

Deepak Kumar

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

By Order

Present :- None for the petitioner.

Mr. Karunesh Kaushal, A.A.G., Punjab assisted by
SHO Inspector Kuljinder Singh
ASI Saudagar Singh, PS City Barnala.

RAJESH BHARDWAJ, J. (Oral)

1. As per allegations made by the petitioner, his brother-in-law i.e. detainee was granted anticipatory bail by this Court. However, after having been granted the anticipatory bail, he was picked up by CIA Staff, Barnala headed by ASI Malkit Singh, who even after showing the order of this Court kept the detainee in illegal custody.
2. There is no representation on behalf of the petitioner.
3. Notice of motion was issued in this case and the respondent-State was directed to file the status report.
4. In compliance to the order dated 23.10.2024, Status report by way of affidavit of Mr. Satvir Singh, PPS, Deputy Superintendent of Police, Sub Division, Barnala has been filed on behalf of respondent-State, in the Court today, same is taken on record.



5. Learned State counsel has submitted that brother-in-law of the petitioner, namely, Sanjeev Kumar, is facing prosecution in two FIRs i.e. FIR No.400 dated 28.08.2024 under Sections 22, 25/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Barnala and FIR No. 401 dated 29.08.2024 under Sections 22, 25, 29/61/85 of NDPS Act, registered at Police Station City Barnala. He submits that the petitioner was granted the anticipatory bail in FIR No.401 dated 29.08.2024 by this Court vide order dated 10.10.2024, however, another FIR No.400 dated 28.08.2024 was already registered in which his custody was required and he was taken into custody on 13.10.2024. It is thus, submitted that the petition filed is false and frivolous and brother-in-law of the petitioner was legally arrested in FIR No.401 dated 29.08.2024 and presently he is behind bars.

6. In view of the above, the present petition is disposed of as such.

(RAJESH BHARDWAJ)
JUDGE

25.10.2024
ps-I

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