



(108)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6523-2025 (O&M)

Date of decision:- 07.03.2025

Usha Devi

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. B.S. Kathuria, Advocate,
for the petitioner.

Mr. Sartaj Singh Gill, Senior Deputy Advocate General, Punjab.
* * * *

SHEEL NAGU, C.J. (ORAL)

1. The present petition has been filed by the petitioner who apprehends that being an accused in a trial concerning the offences punishable under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, coercive steps may be taken by the State and its functionaries including that of demolishing immovable property belonging to the petitioner.

2. For this purpose, the petitioner has relied upon recent judgement rendered by Apex Court on 13.11.2024 in a group of writ petitions lead case being Writ Petition (Civil) No. 295 of 2022 which is appended as Annexure P-2 at page 34 of the petition.

3. After seeking instructions, Mr. Sartaj Singh Gill, learned Senior Deputy Advocate General, Punjab, assures that the apprehension raised by the petitioner is unfounded since the State and its functionaries shall follow due

process of law, as prescribed in Chapter 5-A of the NDPS Act, in case any action of forfeiture of illegally acquired property is taken by the State.

4. In view of the aforesaid assurance given by learned State counsel, this Court does not deem it appropriate to proceed with this matter and disposes of the petition with the hope and expectation that due process of law shall be followed by the State and its functionaries while taking any coercive steps against the petitioner.

5. The petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SUMEET GOEL)
JUDGE

07.03.2025
Amodh Sharma

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