

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

2025.PHHC.047683



CRWP-3455-2025

Date of Decision:07.04.2025

BALVIR SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kashav Chadha, Advocate for the petitioner.

Mr. Jastej Singh, DAG, Punjab.

SANDEEP MOUDGIL, J. (Oral)

The present criminal writ petition has been filed under Article 226/227 of the Constitution of India for directing the official respondent no. 2 to protect the life and liberty of the petitioner and their family members from the hands of officials of respondent no. 3 as they are continuously harassing and threatening to falsely implicate the petitioner and his family members in some false cases.

Learned counsel for the petitioner alleged that FIR No. 44 dated 15.03.2025 under Section 21 and 22 of the NDPS Act, registered at Police Station Sultanpur Lodhi, District Kapurthala, has been filed with malice against the present petitioner who has opposed the validity of election by way of CWP-2429-2025, Balvir Singh Vs. State of Punjab and others, which was disposed of vide order dated 30.01.2025, passed by the Hon'ble Division Bench of this Court with the direction that the petitioner would be at liberty to file election petition in accordance with law.

Before the petitioner can avail that remedy, he has been roped in the instant FIR No. 44 dated 15.03.2025 merely on the basis of disclosure



statement by co-accused Mangal Singh s/o Balakar Singh. The alleged recovery from co-accused Mangal Singh is doubted wherein 10 gms of heroin along with 1035 loose tablets of contraband have been shown as recovery and question of false implication by planting the said contraband cannot be ruled out by particularity looking at the background of the facts as averred in the instant petition.

Without adverting to the merits of the case and in view of the statement made by learned counsel for the petitioner, the present petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, District Kapurthala, Punjab, to look into the representation dated 03.04.2025 (Annexure P-7), and decide the same in accordance with law within a period of four weeks from the date of receipt of the certified copy of this order, after giving an opportunity of personal hearing to the petitioner. Copy of the order so passed shall be furnished to the petitioner within next one week thereafter.

It is made clear that till date the representation is decided, no coercive steps including arrest of petitioner be taken by the respondent.

(SANDEEP MOUDGIL)
JUDGE

07.04.2025

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