

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 115

**Civil Writ Petition No.7261 of 2025****Date of Decision: March 18, 2025**Ghukar Mall & another

..... PETITIONER(S)

*VERSUS*State of Punjab & others

..... RESPONDENT(S)

**CORAM:** HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE  
HON'BLE MR. JUSTICE SUMEET GOEL**PRESENT:** - Mr. Lupil Gupta, Advocate, with Mr. Rahul, Advocate, for  
the petitioners.Mr. Sartaj Singh Gill, Senior Deputy Advocate General,  
Punjab.**SHEEL NAGU, CHIEF JUSTICE (Oral)**

The present petition has been filed raising the apprehension that being accused in a trial 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 petitioners.

2. For this purpose, the petitioners have 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-8 at page 83 of the petition.

3. After seeking instructions, Mr. Sartaj Singh Gill, learned Senior Deputy Advocate General, Punjab, assures that the apprehension raised by the petitioners is unfounded since the State and its functionaries shall follow due process of law, as prescribed in Chapter 5-A of the NDPS Act, before any coercive action is taken by the State or its functionaries.



CWP No.7261 of 2025

[2]

4. The distinguished feature in the present case is that the competent authority has confirmed the provisional attachment vide order dated 21.06.2023 against which an appeal has been preferred before the Appellate Tribunal which is pending adjudication.

5. 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 before taking any coercive steps.

6. The petition stands disposed of.

**(SHEEL NAGU)  
CHIEF JUSTICE**

**(SUMEET GOEL)  
JUDGE**

**March 18, 2025**

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Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No