



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

CWP-24135-2024
Date of Decision : **21.02.2025**

PUNEET SOOD AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. D.S.Sobti, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

Mr. Vikram Anand, Advocate,
for respondent no.6 and 7.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of directions upon the competent authority amongst the respondents to transfer the investigation in FIR bearing no.178, dated 21.07.2024, registered under Sections 21, 22, 27(a) of NDPS Act, and under Section 61/1/14 of Punjab Excise Act, and under Sections 25, 27(1) of the Arms Act, at Police Navi Baradari, District Jalandhar (Annexure P-1) to the CBI.

2. In pursuance of notice, Mr. Vikram Anand, Advocate, has caused appearance on behalf of respondent No.6 and 7, through a validly executed power of attorney in his favour. The same is taken on record.

3. Today, learned State counsel has filed a short reply dated 19.02.2025, by way of an affidavit of Sh.Sarabjit Singh, ACP, Litigation, Bureau of Investigation, Punjab, which is ordered to be taken on record, with a copy thereof supplied to learned counsel opposite.

4. On the strength of the reply (*supra*), as well as on instructions imparted to learned State counsel, it is informed to this Court, during the pendency of the instant writ petition, the petitioners have already approached the competent authority concerned, thereafter, a Special Investigating Team (SIT), was constituted, and the SIT after conducting a thorough investigation, came to a conclusion that the petitioners are innocent, and a cancellation report has already been filed in this regard. The relevant paragraph of the reply (*supra*), is extracted hereinafter:-

“8. That the aforesaid SIT headed by Smt. Dhanpreet Kau, IPS, IGP, Ludhiana Range, Ludhiana submitted its report of investigation, v je No. 2162/Reader dated 06.02.2025, in which it has been concluded that: -

(i) The allegations leveled in Annexure P-4 have been examined by the SIT. No evidence regarding allegations leveled in Annexure P-4 has been found by the SIT.

(ii) No recovery of illicit liquor, narcotic drugs, psychotropic substances, or illegal weapons has been made from Puneet Sood. However Indian and foreign currency was recovered from Puneet Sood. As there is no evidence available on case file against Puneet Sood, recommendation has been made by the SIT to file cancellation report in aforesaid case FIR No. 178/2024 to the competent court.

(iii) Police Commissionerate Jalandhar shall take necessary action in-coordination with Income Tax Department regarding recovery of Indian (Rs. 02,93,05,800/-) and foreign currency (USD \$100) made from Puneet Sood in the case.

(iv) Regular Departmental Enquiry shall be conducted against Inspector Kamaljit Singh, No. 02/JCP, SHO, PS Navi Baradari, and ASI Vinay Kumar No. 2509/Jalandhar PS Navi Baradari for negligence in discharge of official duties.

(v) Explanation shall be called from Gurpartap Sahota, PPS, ADCP City-1, Jalandhar, who was supervisory officer of police station Navi Baradari.”

5. In view of the supervening events, the first prayer, as made in the instant petition, regarding issuance of *mandamus* to transfer the investigation in the FIR (*supra*), has rendered infructuous. So far as, the second prayer with regard to issuance of *mandamus*, to ensure the protection of life and liberty of the present petitioners, is concerned, it goes without saying that it is a duty of the State to protect the life and liberty of each and every citizen. In case there is an eminent threat to the life and liberty of the present petitioners, an apt action shall be taken by the competent authority concerned, in accordance, with the law as well as the scheme adopted by the State of Punjab.

6. **Disposed of** accordingly.

February 21, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No