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

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**CRM-M-23956-2025
Decided on:03.05.2025**

Kulwinder Kaur

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

**Present: Ms. Manpreet Ghuman, Advocate (Through V.C.),
for the petitioner.**

Rajesh Bhardwaj, J. (Oral)

1. Prayer in the instant petition is for issuance of direction to respondent no.2 to decide representation of the petitioner dated 25.03.2025 (Annexure P-1).
2. Learned counsel for the petitioner submits that brother-in-law of the petitioner, namely, Rajinder Singh @ Jinder is facing prosecution for the offences under the NDPS Act and on account of the same, the petitioner is being harassed by the police authorities as being sister-in-law of Rajinder Singh @ Jinder. She submits that her brother-in-law Rajinder Singh @ Jinder was released on parole and the petitioner and her family members were not aware about his whereabouts since then. She submits that despite there being no involvement of the petitioner and her family members in any case, they are being harassed by the police authorities.
3. Notice of motion.
4. On asking of the Court, Mr. Tanuj Sharma, AAG, Haryana, accepts notice on behalf of the respondent-State and vehemently opposes the present petition.

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5. Learned State counsel, on instructions from PSI Ajay Singh, submits that the petitioner and her family members are intentionally giving shelter to accused Rajinder Singh @ Jinder, who is a habitual offender and is facing trial in six cases under the NDPS Act. It is submitted that after seeking parole, with the involvement of the petitioner and her family members, he escaped from India and presently is in USA. He submits that Rajinder Singh @ Jinder is actively operating from USA and carrying on the drug racket while sitting in USA. He further submits that the allegations regarding harassment of the petitioner and her family members are without any basis as the police authorities simply inquired about the whereabouts of accused Rajinder Singh @ Jinder for investigation purposes. He further submits that Sukhdev Singh, brother-in-law of Rajinder Singh @ Jinder has also approached this Court by filing CRM-M-19565-2025 for seeking similar direction and the same was disposed of vide order dated 09.04.2025 and not only this, Raj Kaur, mother of Rajinder Singh @ Jinder had also approached this Court by filing CRM-M-19340-2025 for the similar directions, which was disposed of by this Court vide order of even date, i.e. 09.04.2025. He, thus, submits that the petitioner and her family members, one after the other, are filing same petitions in this Court only in order to thwart ongoing investigation against Rajinder Singh @ Jinder. It is submitted that the representations filed by aforesaid Sukhdev Singh and Raj Kaur will be decided by the respondent-authorities during the course of the time. He, thus, conclusively prays for dismissal of the present petition being an abuse of process of law.

6. After hearing learned counsel for the parties and perusing the available record, this Court is of the opinion that the petitioner and her family

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members are misusing the process of law in order to scuttle the ongoing investigation against Rajinder Singh @ Jinder, who is facing prosecution in six criminal cases in the State of Punjab and in two criminal cases in the State of Haryana. As submitted by the State counsel, on instructions, after availing parole, he did not surrender before the jail authorities and succeeded in fleeing away to USA after making forged passport. As per the information collected by the police authorities, he is now actively operating a drug racket while sitting in USA. The aforesaid circumstances necessitate a thorough inquiry/investigation by the investigating agencies. The family members are allegedly in regular active touch with Rajinder Singh @ Jinder and whereabouts of Rajinder Singh @ Jinder can only be revealed by the petitioner and her family members. However, the petitioner and her family members are time and again trying to thwart the ongoing investigation by filing various false and frivolous petitions before this Court including this one while misusing the process of law. The police authorities cannot be restrained from carrying out the inquiry in accordance to the provisions of law.

In view of the above facts and circumstances and the discussion made here-in-above, the present petition is dismissed with costs of Rs.25,000/- to be deposited by the petitioner in the Poor Patients Fund, PGIMER, Chandigarh, with in a period of one month from today.

May 03, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES