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KARAMJIT SINGH ALIAS SONU V/S STATE OF PUNJAB

IOIN-CRA-D-693-2019 in CRA-D-693-2019

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MASSA SINGH V/S STATE OF PUNJAB

Present: Mr. Charanjit Singh Bakshi, Addl. P.P. for U.T., Chd. &
Mr. Rajiv Vij, Addl. P.P., for U.T., Chandigarh.

Mr. Maninder Singh, Addl. A.G, Punjab.

Mr. Ankur Mittal, Addl. A.G., Haryana
Ms. Savneel Jaswal, Addl. A.G., Haryana
Mr. P.P.Chahar, Sr. DAG, Haryana
Mr. Saurabh Mago, DAG, Haryana.

1. When this case was listed for hearing on 21.02.2025, the hereinafter directions were passed, relevant paragraphs whereof become extracted hereinafter.

10. To make complete effective compliances viz-a-viz directions for effective testings at the laboratories concerned, though the state of art facilities have been stated in the affidavits to be in the process of being inducted in the various testing laboratories, besides also it is reported in the compliance affidavits, that in some of the laboratories, there has occurred induction of the said state of art facilities. However, this Court had earlier directed the respective Chief Secretaries of the State of Punjab and of the State of Haryana, besides had also directed the respective Director Generals of Police of both the States, to ensure that the additional testing laboratories become ensured to become promptly established, especially keeping in view the increased workloads. This Court had also passed a mandamus upon the supra to ensure that after obtaining all the administrative and financial approvals, thereupon the works become awarded to the contractors concerned.

11. However, in the presently sworn compliance affidavit, there are no speakings in respect of effective compliances vis-a-vis, supra becoming made. Therefore, on the subsequent date of hearing, all concerned are directed to ensure that after the requisite administrative and financial approvals, thus, becoming granted for establishing more FSLs concerned, at such places, as deemed necessary, thereupon, work/construction activities, thereons, also becoming initiated.

12. Additionally, with the increase in the workload at the testing centres concerned, there is a concomitant necessity for recruitment of additional manpower. Compliance to the supra though has been expressed in the requisite compliance affidavits, but there is no reporting in the compliance affidavits, that with respect to the effectiveness of the measures taken to recruit trained personnel against the proposed posts, to be created vis-a-vis the additional testing laboratories to be established in the State of Punjab, and, in the State of Haryana, besides also in the Union Territory of Chandigarh. Since the takings of a futuristic vision with

respect to the growth in the menace of drug trafficking and also bearing in mind the fact that there is every likelihood of there being an escalation in indulgence of criminalities by the offenders concerned, therefore, there would naturally be an increased workload both with the investigating agency(ies) concerned, besides also there would be an increased workload at the testing laboratories concerned. **Consequently, this Court directs that in anticipation of the escalated workload at the testing centres concerned, all the supra proceed to obtain administrative and financial sanction for the requisite additional post(s) being created.** Moreover, for reducing the time spent in the investigations and for ensuring the efficiency of the investigations and also for further ensuring the curtailings of the time spent in the effective testings of the incriminatory materials rather at the testing centers concerned. As such, the extant workloads assigned respectively to the investigating officer concerned and to the forensic experts at the testing centres concerned, thus, is required to be reduced, whereupon, there is a dire necessity of more posts of investigating officers being created in all the supra, besides there is also dire necessity of additional posts of forensic scientists being created in the States of Punjab, Haryana and the Union Territory, Chandigarh. **Therefore, all the supra are directed to, after bearing in mind what has been stated today by this Court, on the subsequent date of hearing, place on record the measures taken to make effective compliances, vis-a-vis what this Court has stated above.**

13. This Court is engaged in ensuring that effective, efficient and speedy investigations are made into crime events, as delays in the makings of investigation into crime events rather causes disappearance(s) of incriminatory evidence. Moreover, delays in the making of the investigations also may ultimately lead to the un-amenability of the collected incriminatory material, for becoming effectively tested, as the effect of delayed investigation, but brings the consequent effect of there occurring deteriorations vis-a-vis the incriminatory material. **It is, but, in the said regard, that there is a requirement of increased investigating officers in the States of Punjab, Haryana and U.T. Chandigarh, besides there is also requirement of increased manpower being deployed both at the existing testing laboratories and at to be established Forensic Science Laboratories concerned also, therefore, the measures taken in regard to compliance being made to the above be stated on affidavits to be filed on the subsequent date of hearing.**

14. Therefore, all the concerned are directed to become completely sensitized vis-a-vis the above dire necessities.

15. Additionally, the investigating officers are required to be imbining the state of art investigating skills and for that, continuous trainings are to be imparted to them, besides the effectivity of such imparted trainings are to be throughout

monitored by a team of specialized senior police officers. The said specialized cell of senior police officers is directed to be created in all the police districts in the States of Punjab, Haryana and Union Territory, Chandigarh.

16. Now, so far as the mobile vans equipped with the requisite wherewithals are concerned, thereupons, if they are not in operation throughout the States of Punjab, Haryana and Union Territory, Chandigarh, therebys, they are directed to be purchased, so that, they can be deployed in all the police stations in the States of Punjab, Haryana and U.T. Chandigarh. Moreover, the said purchased mobile forensic vans are required to be potentialized, to the extent, that apart from the police stations concerned uploading on their respective websites, the accessible police help numbers to the aggrieved, thus, to also upload, on the relevant websites, the numbers of mobile forensic vans, so that the utility of the said forensic mobile vans, thus, becomes percolated on to the masses. In other words, the mobile forensic vans are not to be idly stationed at the police stations, rather they are required to be made effectively functional. The trainings for handling the equipments inside the forensic is also ensured to be imparted to the investigating officers concerned. The said be ensured to be done promptly and a report in that regard be stated on affidavits to be filed on the subsequent date of hearing.

17. This Court yet continues to appreciate the efforts made by the all concerned, however, it is expected that on the subsequent date of hearing, the further directions as become stated hereinabove, become reported to be effectively complied by all concerned. In the said regard, compliance affidavits be filed.

18. List on 07.03.2025.

19. The petitions bearing number CRM-M-15579-2024, CRM-M-65335-2023 and CRM-M-19581-2024, which are listed before the learned Single Bench, be also listed before the present Division Bench, as the subject in the said petitions is similar to the one with which the instant Division Bench is engaged, as such, to ensure that there is consistency of passing of directions, that the said petitions be tagged also alongwith the instant matters.

2. Thereafter, on the last date of hearing the hereinafter extracted order was passed.

“ Heard in part.

List for continuation on 12.05.2025.

Requisite affidavits be filed by all the concerned in the meanwhile.

Photocopy of this order be placed on the connected files.”

3. Today, though no affidavits in the said regard have been filed but the counsels appearing today before this Court respectively on behalf of the States of Punjab and Haryana and on behalf of the U.T., Chandigarh, have all stated that compliance to the further directions passed by this Court appertaining to **(i) additional testing laboratories becoming established (ii) recruitment(s) of additional manpower(s) qua the additional testing laboratories (iii) creations of more posts of investigating officers and forensic scientists (iv) continuous trainings being imparted to the investigating officers through a team of specialized senior police officers and creation of specialized cell of senior police officers in the said regard in all the police districts in the States of Punjab, Haryana and Union Territory, Chandigarh (v) deployment of mobile forensic vans equipped with the requisite wherewithals at all the police stations in the States of Punjab, Haryana and in the U.T., Chandigarh**, thus are underway and have also assured this Court that fullest and completest compliance, to the directions (supra), shall be made in the shortest period of time.

4. Therefore, the Chief Secretary(ies) respectively to the States of Punjab, Haryana and the Advisor to the Administrator, U.T., Chandigarh, all are directed to comply with the supra directions, within a period of six months from today.

5. This Court continues to appreciate the efforts made by the all concerned, and expects that the supra directions shall be ensured to be promptly and effectively complied with. The appreciations be entered in the service records of the concerned.

6. IOINs are disposed of accordingly.

7. In addition, the directions made by the learned Single Judge concerned vide order dated 21.01.2025 (in CRM-M-15579-2024, in CRM-M-19581-2024 and in CRM-M-65335-2023) are also closed as such.

8. The remaining pending cases, if any, be listed for adjudication but only vis-a-vis the subject matters therein before the roster Bench concerned.

9. A photocopy of this order be placed on the files of other connected cases.

(SURESHWAR THAKUR)
JUDGE

(VIKAS SURI)
JUDGE

12.05.2025
kavneet singh