

209

**VARINDER SINGH @ BINDA VS. STATE OF PUNJAB**

Present:- Mr. Robindeep Singh Bhullar, Advocate with  
Mr. Vikramjeet Singh, Advocate  
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

\*\*\*\*\*

On the last date of hearing, the Senior Superintendent of Police, Bathinda was directed to file an affidavit, mentioning the list of all the cases registered under the provisions of NDPS Act in various police stations in District Bathinda, where the accused have not been arrested for the last six months.

Today, a short reply by way of an affidavit of the Senior Superintendent of Police, Bathinda has been filed in Court and the same is taken on record.

As per the said affidavit, in 83 criminal cases registered under the provisions of NDPS Act, 97 accused have not been arrested by the police, for the last more than six months. In fact, the police was not only having legal obligation to arrest them but also to initiate the P.O. proceedings against accused and to attach their properties. But surprisingly no such efforts were made by the Investigating Officers/SHO's of the 19 Police Stations of District Bathinda. Apart from that, this clearly reflects that the higher police officials of District Bathinda had not supervised the investigation of the cases registered under the NDPS Act. One more fact is also brought to the

notice of this Court that in the present case also, the petitioner, who is praying for anticipatory bail in a case registered on 12.09.2023, has not been arrested for the last 11 months. Still further, in the present case, as per the affidavit of SSP, Bathinda, challan was submitted on 29.01.2024 and it has been now found that HC Sukhraj Singh did not make any entry in the record of Police Station to the effect that the investigation against the petitioner is pending. Even Inspector Sandeep Singh, who remained posted as SHO, Police Station Nathana and ASI Dilbag Singh, Investigating Officer of the present case did not pay any heed towards the investigation of the present case against the accused, against whom, the investigation is pending in the present case. Even from the affidavit filed by SSP, Bathinda, it is apparent that even every possible attempt is being made to shield the three officials and only departmental inquiry has been initiated against them and as per information supplied by learned State counsel, such tainted police officials have been posted in other police stations.

The Director General of Police, Punjab, is directed to issue necessary directions to all the SSP's of State of Punjab to monitor the progress of investigation of all the cases registered under the provisions of NDPS Act in various police stations of Punjab. In case, the accused in such cases are not arrested by the police within a reasonable time period, despite best efforts; such accused should be immediately declared proclaimed offenders and their properties must

be attached without any delay in accordance with the provisions of law.

The DGP, Punjab, is also directed to file an affidavit of all the cases registered under the provisions of NDPS Act in all police stations of Punjab State, where, the accused have not been arrested, even after a lapse of more than 06 months. He shall also mention the fact as to whether such accused have been got declared proclaimed offenders or not.

List for further consideration on 22.08.2024.

**12.08.2024**  
amit rana

**(N.S.SHEKHAWAT)**  
**JUDGE**