

it Has Been Pointed out That the Husband and Son of the Vs. Smt. Amarjit Kaur Petitioner

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Court : Punjab and Haryana

Decided On : May-09-2013

Appellant : it Has Been Pointed out That the Husband and Son of the

Respondent : Smt. Amarjit Kaur Petitioner

Judgement :

Civil Writ Petition No.2535 of 2013 -1- IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Civil Writ Petition No.2535 of 2013 Date of Decision:09.05.2013 Smt.

Amarjit KaurPetitioner Versus U.T.Chandigarh and othersRespondents
CORAM:- HON'BLE Mr.JUSTICE RAJIV NARAIN RAINA Present: Ms.Tanu Bedi,
Advocate for the petitioner.

Mr.Sukant Gupta, Advocate for respondent No.1.

Mr.D.D.Sharma, Advocate for respondent No.2.

Mr.Sumeet Goel, Advocate for respondent No.3.

1. To be referred to the Reporters or not?.

2. Whether the judgment should be reported in the Digest?.

**** RAJIV NARAIN RAINA, J.

(Oral) It has been pointed out that the husband and son of the petitioner have been convicted under the NDPS Act and sentenced to undergo 12 years of imprisonment by the Special Court, Chandigarh against which CRA-D-506-DB of 2011 and CRA-D-525-DB of 2011, one filed by the husband and one by the son are pending before the Division Bench of this Court.

The petitioner claims that her husband and son have been falsely implicated by the Narcotics Control Bureau by planting 6 kgs.

of Heroin on them.

The petitioner has come into possession of a Compact Disk which is a recorded videographed conversation which proves that a false case was made out against Baljinder Singh and Sukhjinder Singh together with a Nigerian, John Kennedy Uzoigwe.

The transcription of the conversation has been placed on record as Annexure P-4A and 4B.

The conversation has been said to be recorded on a mobile phone of Shri Kuldeep Singh Chaudhary, Advocate in Model Jail, Burail at Chandigarh.

This material has emerged post conviction and is said to be a strong pointer towards their false implication in the NDPS case.

A direction has been sought commanding the U.T.Chandigarh and the CBI to investigate the matter in Civil Writ Petition No.2535 of 2013 -2- the face of new evidence.

I am afraid these prayer cannot be answered in writ jurisdiction by invoking Article 226/227 of the Constitution of India.

The petitioner can take these pleas in the pending appeals in accordance with law.

No ground for interference is made out.

Dismissed.

The CD which was ordered to be taken into custody by the Registrar General of this court is directed to be handed over to the petitioner on an application made in this behalf.

(RAJIV NARAIN RAINA) JUDGE 09 05.2013 rajeev

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