

C.W.P. No. 18648 of 2011

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IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

C.W.P. No. 18648 of 2011

Date of decision: 5.3.2012

H.C.Arora

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM:- HON'BLE MR. JUSTICE RANJAN GOGOI CHIEF JUSTICE
HON'BLE MR. JUSTICE MAHESH GROVER**

Present: Mr.H.C.Arora, petitioner in person

Mr. H.S.Sidhu, Additional Advocate General, Punjab

Mr. S.S.Sandhu, Advocate, for respondent No.4

RANJAN GOGOI, C.J. : (Oral)

This Public Interest Litigation has been filed seeking appropriate directions from the court for disposal of various narcotic drugs and psychotropic substances lying in the malkhanas of Police Stations all over the Punjab in accordance with the provisions of Section 451 Cr.P.C. A further writ or direction to take steps to destroy RDX stocks has also been prayed for.

In so far as the first prayer i.e. destruction of Narcotic drugs and Psychotropic substances are concerned, the State of Punjab, in the affidavit filed, has stated that a well laid down policy has been framed and one firm namely, Varun Eco Treatment Equipments Pvt. Ltd., has been entrusted to destroy such drugs and for the said purpose two Drug Disposal Incinerators are to be supplied latest by 10.3.2012.

In so far as the second issue is concerned, according to the State of Punjab, it's police force is not adequately equipped to destroy stocks of explosives and therefore, direction be issued to the Army

Authorities through the Union of India to offer their co-operation and specific know how to the Punjab Police in the matter of destroying RDX stocks lying in the malkhanas of the State.

Affidavits have been exchanged by and between the parties. In so far as the first issue is concerned in view of the stand taken by the State of Punjab no further order in the matter is required

Coming to the second issue we find that in the affidavit filed by the respondent No.4 on behalf of the Western Command it has been inter-alia stated that sufficient number of personnel of the Punjab Police have been trained to counter and defuse explosive devices. A list of such trained personnel numbering 59 has also been enclosed to the said affidavit filed by the respondent No.4.

The above facts belie the stand of the State as taken in the affidavit filed details of which have been noticed above. However, it is made clear that if any such cooperation is required by the Punjab Police from the Union of India, the appropriate department of the Union will not hesitate in extending assistance and cooperation in such manner that the task assigned can be best performed.

Having dealt with the issues arising in the present Public Interest Litigation in the above manner, we are of the view that no further issue remains for consideration of the Court.

The Public Interest Litigation, therefore, stands disposed of in the above terms.

(RANJAN GOGOI)
CHIEF JUSTICE

(MAHESH GROVER)
JUDGE