

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

CRM-M-5938-2015

Date of decision : 25.03.2015.

Nishad alias Pappu

.....Petitioner

Versus

Stae of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Ashok Giri, Advocate for petitioner.

Mr. Neeraj Yadav, AAG, Punjab, assisted by
ASI Chiranji Lal, Police Station Kiratpur Sahib,
Distt. Rupnagar.

DARSHAN SINGH, J (Oral)

Learned State counsel has placed on record certified copy of order dated 24.03.2015, passed by learned Special Judge, Fast Track Court, Rupnagar, which shows that the petitioner has been discharged for the offence punishable under Section 22 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act') and his case has been sent to the Chief Judicial Magistrate, Rupnagar to proceed further in accordance with law. Learned Special Judge has observed that the case falls under the Drugs and Cosmetics Act, 1940.

Thus, as the petitioner has already been discharged for the offence punishable under Section 22 of the NDPS Act, the present petition has become infructuous and the same is hereby disposed of as such.

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The petitioner shall be at liberty to avail the remedy available to him before the learned Chief Judicial Magistrate, Rupnagar.

25.03.2015

sunil yadav

**(DARSHAN SINGH)
JUDGE**