

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M 21290 of 2013 (O&M)

Date of decision: 16.02.2016

Jasvir Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: None for the petitioner
Mr.A.S.Kler, DAG Punjab

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The present petition is filed for quashing of FIR No.100 dated 20.5.2012, registered at Police Station Sadar Jagraon, District Ludhiana (Rural) under Sections 22 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act') (Annexure P1). Also challenged is the order dated 4.12.2012 in SC No.414/15.11.2012 (Annexure P5), passed by the learned Judge Special Court, Ludhiana wherein charges were framed against the petitioner.

Today none is present for the petitioner. On behalf of the State, it is informed that out of nine witnesses, four have already been examined. The State undertakes to examine the remaining witnesses

at the earliest.

In these circumstances, when the material evidence has been recorded, it is not deemed proper to exercise powers under Section 482 Cr.P.C. so as to pre-empt the findings of the lower Court on merits. As such, the present petition stands dismissed with liberty to the petitioner to raise all the available pleas before the lower Court at an appropriate stage which shall be considered and decided by the lower Court on merits.

16.02.2016

gk

**(Kuldip Singh)
Judge**