

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

CRR-945 of 2011 (O&M)
Date of decision: March 29, 2016

Intelligence Officer, DRI

...Petitioner

Versus

Sher Singh @ Shera

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. D.D. Sharma, Advocate for the petitioner.
Mr. L.M. Gulati, Advocate for the respondent.

Rajan Gupta, J. (oral)

Challenge in this petition is to order dated 25.11.2010, passed by Additional Sessions Judge, Amritsar, whereby he dismissed the application moved by the Intelligence Officer, Directorate of Revenue Intelligence. Same has been challenged before this court. According to counsel for the petitioner, the respondent was earlier involved in a case at Delhi. He, however, managed to escape. Later he was apprehended with 2 Kgs of heroin and 6 Kgs. of RDX at Amritsar and is facing trial. The Intelligence Officer, thus, moved an application for recording statement of Sher Singh. However, same was dismissed by a short and cryptic order.

A perusal of the order shows that same is not speaking in nature. This court does not intend to express any opinion on the merits of the case at this stage. Prayer for remitting the case to the same court for decision afresh is not opposed by counsel for the respondent. Under the

circumstances, impugned order is hereby set-aside. Matter is remitted to the same court for decision afresh after hearing the parties.

(RAJAN GUPTA)
JUDGE

March 29, 2016
'Rajpal'