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

CRR-2358-2014 (O&M)

Date of Decision: 21.04.2016

PARAMJIT SINGH @ PAMMI

... Petitioner

VS.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Mansur Ali, Advocate, and
Mr. H.S. Deol, Advocate,
for the petitioner.
Mr. Ashish Sanghi, DAG, Haryana.

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 petitioner has challenged the order dated 06.06.2014 passed by learned Judge, Special Court, S.A.S. Nagar, Mohali, vide which the present petitioner was charge sheeted for commission of offence punishable under Sections 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short NDPS Act) on the ground that the Car bearing registration No. PB-10-DP(T)1748, used by the main accused Jagrup Singh @ Sheshe and Talwinder Singh in carrying 90 gms. and 110 gms. of intoxicating powder respectively, belonged to him.

I have heard learned counsel for the petitioner and learned State counsel.

It comes out that as per the prosecution case, Talwinder Singh and Jagrup Singh were carrying intoxicating

powder in Car bearing registration No. PB-10-DP(T)1748, which according to the police version, belong to the present petitioner-Paramjit Singh. However, Paramjit-present petitioner claimed that before the said date of recovery i.e. on 27.07.2013 he had already sold the Car on 23.07.2013. Even ignoring this fact at this stage, it comes out that since the trial against the present petitioner was stayed by this Court, the main accused Talwinder Singh and Jagrup Singh were tried and vide judgment dated 04.06.2015 passed by learned Judge, Special Court, S.A.S. Nagar Mohali, both the accused have been acquitted on the ground that the prosecution has failed to prove the guilt of the accused beyond all reasonable doubts. Once the main accused have been acquitted and as per the stand of the State on instructions from ASI Deep Singh, no appeal has been filed, the judgment of acquittal qua Talwinder Singh and Jagrup Singh has become final. Therefore, the allegation that the car was used in the crime belonging to the present petitioner will also collapsed.

It being so, the order dated 06.06.2014 framing charges for commission of offence punishable under Sections 25 and 29 of the NDPS Act, 1985 against the present petitioner Paramjit Singh @ Pammi is set aside and he is accordingly discharged.

Revision is accordingly allowed.

[KULDIP SINGH]
JUDGE

April 21, 2016
Suresh Kumar