

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.8852 of 2017

ORDER:

While directing the Registry to number the petition if otherwise in order, by virtue of Section 216 Cr.P.C., which speaks the Court may alter charge at any stage before pronouncement of judgment and alteration includes even deletion of charges or any provision, under which the charge is framed, leave about the contention of several offences under one charge is not sustainable and, in particular, about the question of framing a charge for Abetment or Conspiracy for a single charge under Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 also unsustainable, these are left open to urge before the trial Court by filing a petition under Section 216 Cr.P.C. for the entire material is with the trial Court, if at all to alter charge.

Accordingly, the Criminal Petition is disposed of. If the petitioner has any further grievance, he can agitate the same in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE DR. B. SIVA SANKARA RAO

September 4, 2017
LMV