

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-35158 of 2017
Date of Decision : 20.09.2017

Jasbir Singh @ Jassi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Parminder Singh, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner has challenged the order dated 08.09.2017 (Annexure P-4) passed by the Additional Sessions Judge, Karnal, whereby application preferred by the petitioner for a direction to the Investigating Officer to reset, reput and replace the alleged recovery of 8 plastic bags of Poppy Husk in the dicky of the Car, has been dismissed.

Learned counsel for the petitioner contends that 8 plastic bags containing 20 kg. poppy husk each are stated to have been recovered from the dicky of Swift Dzire Car belonging to the petitioner. It would not be possible for 8 plastic bags containing 20 kg. poppy husk each to be placed in the dicky of Swift Dzire Car and, therefore, the application of the petitioner should have been allowed.

Heard.

The petitioner had moved the application after closer of the prosecution evidence. No such suggestion was made by

the counsel for the petitioner/accused to either the Investigating Officer or the recovery witness, who had been examined in the Court as PW5 and PW9 respectively that 8 plastic bags containing 20 kg. poppy husk cannot be placed in the dicky of the Car.

Consequently, I do not find any illegality in the impugned order declining the application of the petitioner.

The petition stands dismissed.

It shall, of course, be open to the petitioner to lead evidence in his defence in accordance with law.

September 20, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>