

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.982 of 2018**

1. Dipak Sharma, aged about 27 years, S/o Ram Babu Sharma, R/o Janam Bhumi Link Road, 128, Puja Enclave, Krishna Nagar, Mathura, P.S. Mathura, Tahsil and District Mathura, U.P.
2. Jitendra Singh, aged 32 years, S/o Mahendra Singh Rajput, R/o Bholanath Mandir, Shastri Nagar, Mathura, U.P.

---- Applicants**versus**

State of Chhattisgarh through the Police Station Arjuni, Dhamtari,
Chhattisgarh

--- Respondent

For Applicants	:	Shri Ritesh Verma, Advocate
For Respondent	:	Smt. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****19.11.2018**

1. With the consent of Learned Counsel appearing for the parties, the matter is heard finally.
2. A trial is going on against the Applicants/accused under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act before the Special Court, Dhamtari. On 28.8.2018, at the time of final argument, an application was filed by the Applicants/accused for providing tower location and GPRS location of Investigating Officer Ramesh Sahu and Head Constable Prahlad Banchhor. But, the Trial Court has not decided the said application and has ordered that after filing of the written arguments (final arguments), the said application will be decided at the time of final arguments on the next date of hearing. The Trial Court has further ordered that if the application is allowed then time will be granted for defence, but if the application is rejected, judgment in the case will

be passed.

3. Learned Counsel appearing for the Applicants/accused submits that from the order of the Trial Court itself it is clear that if the application of the Applicants/accused is rejected, final judgment in the case will be delivered by the Trial Court on the same day. He further submits that in that circumstance, the Applicants/accused will have no remedy against rejection of their application.
4. Learned Counsel appearing for the State supports the impugned order.
5. Considering the facts and circumstances of the case and the submissions put-forth, the instant revision is disposed of with a direction that the Trial Court shall first decide the application of the Applicants/accused presented on 28.8.2018 and on conclusion if the Trial Court rejects the said application then two weeks' time shall be granted by the Trial Court to the Applicants/accused to move an appropriate application before this Court.
6. A copy of this order be sent to the Trial Court forthwith for information and necessary compliance.

Sd/-

(Arvind Singh Chandel)
Judge