

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

CRM A-48-MA of 2018

Date of Decision: March 26, 2018

State of Punjab	Versus	 Applicant
Amandeep Singh @ Aman		 Respondent

**CORAM : HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. I.P.S. Doabia, Addl. A.G., Punjab.

T.P.S.MANN, J. (Oral)

It being a case of recovery of the contraband from the right pocket of the pant of the accused, the prosecution was under a duty to follow the procedure as prescribed under Section 50 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Admittedly, in the present case, no offer of search before a Magistrate or a Gazetted Officer had been given by ASI Kuldeep Singh to the accused before effecting the personal search of the accused/respondent, who was sitting on an iron bench of railway platform.

Under these circumstances, no case is made out for any interference in the judgment of acquittal. The application is without any merit and, therefore, dismissed. Leave to appeal is declined.

**(T.P.S. MANN)
JUDGE**

March 26, 2018
amit rana

**(DEEPAK SIBAL)
JUDGE**

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No