

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

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CRM-M No.23766 of 2018
Date of Decision: May 30th, 2018

Mahabir Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Jagtar Singh Sidhu, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court for appointment of a Special Investigation Team to conduct fair and impartial investigation in FIR No.335 dated 18.11.2017 registered under Section 21 of the NDPS Act at Police Station Sadar, Ferozepur, District Ferozepur.

Perusal of the FIR indicates that the recovery, which is alleged to have been effected from the petitioners, is 22 kilograms of heroin, which the counsel states, has been falsely foisted on them, rather they were arrested from their houses and the Gram Panchayat has passed a resolution to that effect. He, therefore, prays that a SIT needs to be constituted for investigation of the case in the earnest.

The assertions as made by the counsel for the petitioners cannot be accepted at this stage as these are matters which are questions of evidence to be gone into by the trial Court at the appropriate stage. Since the recovery which has been effected from the petitioners is 22 kilograms of heroin, direction as prayed for, is declined at this stage.

The petition stands dismissed.

May 30th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No