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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2018 13:22
I attest to the accuracy and
authenticity of this document

CRM-M-51563-2018 (O/M)
Date of decision : 26.11.2018

Sombir

..... Petitioner (s)

Versus

State of Haryana

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Kamal Singh, Advocate,
for petitioner.

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KULDIP SINGH, J. (ORAL)

Heard. As per police version, 1.5 kilograms of charas was recovered from petitioner, which is commercial quantity.

The learned counsel for petitioner contends that in this case, no videography or photography was done. The sample of contraband was also not drawn at the spot and same was not sent to laboratory for examination. Further, as per mobile tower locations, police officers were at different places. Everything was done in police station. Independent witness was not joined.

I am of the view that case is still under investigation. This Court cannot pre judge the case at initial stage. As such, there is no ground to quash the FIR in question. However, petitioner can always move appropriate application before higher authority i.e. Superintendent of Police of concerned district alongwith his grievances and if such application is filed, Superintendent of Police of concerned district shall look into same and find out truth and take necessary action in accordance with law. Petition is thus dismissed.

(KULDIP SINGH)
JUDGE

26.11.2018
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No