

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

CRR No. 2342 of 2015 (O&M)
Date of Decision: January 11, 2018

Jai Parkash

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr.Naresh Singh Shekhawat, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Sudhir Mittal, J. (Oral)

CRM-20391-2015

For the reasons stated in the application, which is duly supported by an affidavit, the delay of 20 days in filing the present petition is condoned and the application stands disposed of.

CRR No. 2342 of 2015

The present petition has been filed challenging the order dated 23.02.2015 whereby charges have been framed under Section 21 of the **Narcotic Drugs & Psychotropic Substances Act, 1985** (hereinafter referred to as the NDPS Act) and Sections 420/468/471 IPC.

At the outset, learned counsel for the petitioner does not press his challenge to the charges framed under Sections 420/468/471 IPC and as such the revision petition regarding the said charges is dismissed as not pressed.

Liberty is granted to the petitioner to take all possible defences before the trial

As regards the charges framed under Section 21 of the NDPS Act, the learned State counsel has not been able to deny that the petitioner was in possession of valid licence under the NDPS Act and therefore during the period in question, it cannot be said that he possessed/sold drugs in violation of any of the conditions prescribed under the said Act.

In view of the said submission, the charge framed under Section 21 of the NDPS Act is not sustainable in the eyes of law. Resultantly, petition to that extent is allowed and the charge under Section 21 of the NDPS Act, 1985, is hereby quashed.

Copy of this order be sent to the learned trial Court/A.S.J., Hisar, for information and compliance.

January 11 , 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No