

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

CRM-M No.29649 of 2018

Date of Decision: 14.03.2019

Kuldeep Delu

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. K.D.S. Hooda, Advocate
for the petitioner.

Mr. Arun Beniwal, D.A.G., Haryana.

DAYA CHAUDHARY, J. (ORAL)

Learned counsel for the petitioner submits that the petitioner has been implicated only on the basis of disclosure statement and no other case under the NDPS Act is there against him.

As per case of the prosecution, the connecting evidence is only call details, whereas, the petitioner and co-accused are known to each other and nothing can be said on the basis of phone calls that the petitioner was involved.

Learned State counsel has not disputed the joining of investigation and the fact that no other case under the NDPS Act is there against the petitioner. However, still learned State counsel submits that the call details are the only connecting evidence to show the involvement of the petitioner with the offence.

Why calls were made, cannot be stated to be an evidence from

which, it cannot be inferred that the petitioner was involved or talks were there relating to alleged Narcotic substance. Moreover, it would be a matter of evidence which would be tested during trial.

In view of the above, the order passed in favour of the petitioner is made absolute.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

14.03.2019
gurpreet

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