

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

222/2)

Crl. Misc. No.M-22585 of 2019 (O&M)
Date of Decision: 28.11.2019

Raju

...Petitioner

Versus

State of Punjab

...Respondent

2)

Crl. Misc. No.M-26511 of 2019

Gopal Chand

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. R.S. Sekhon, Advocate, for the petitioners
in CRM-M-22585 and 26511 of 2019.
Mr. B.S. Sewak, Addl. Advocate General, Punjab

Amol Rattan Singh, J. (Oral)

Today though learned counsel appearing for the petitioners has very vehemently argued with regard to what is contained in the judgment of the Supreme Court in **Darshan Singh v. State of Haryana**, 2016(1) RCR (Crl.) 333, to the effect that simply sending of a '*ruqa*' to the police and the onward transmission of 'secret information' sent to superior officers does not comply with the provisions contained in Section 42 of the NDPS Act, 1985, however, Mr. Sewak, learned Addl. Advocate General, Punjab, submits on instructions from the police official who is present in court to assist him, that as a matter of fact, as far as the case of the prosecution is concerned, all the evidence of the prosecution witnesses has been concluded and even the statement of the petitioner under Section 313 of the Cr.P.C. has been

recorded.

That being so, at this stage, it would not be appropriate to grant the petitioner the concession of bail.

Consequently, without making any comment on the actual merits of the case for or against the petitioners, these petitions are dismissed.

28.11.2019
vcgarg/dinesh

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No