

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

CRR-3183-2019

Date of Decision:03.12.2019

Gurjot Singh

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Ashok Bhardwaj, Advocate for the petitioner.
Mr.SPS Tinna, Addl. Advocate General, Punjab.

ANIL KSHETARPAL, J.

Challenge is to the order dated 13.11.2019 passed by the learned Additional Sessions Judge, ordering framing of charge under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

It is not in dispute that the petitioner is an accused in FIR No.30 dated 18.03.2019 under Sections 308, 279, 337 and 201 IPC and not under the NDPS Act. Although the charge sheet which has been issued is under the correct provisions, however, the order framing charge reflects the charge for offence punishable under Section 15 of the NDPS Act is being ordered.

In view thereof, the order framing charge and consequently charge sheet are set aside. The Additional Sessions Judge is requested to reconsider the matter. The Presiding Judge is directed to be careful in future.

The present revision petition stands allowed.

03.12.2019
mks

(ANIL KSHETARPAL)
JUDGE

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