

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Revision No.457 of 2020
Date of Decision: February 13, 2020

Sukhchain Singh @ Chaina

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. D.S.Malwai, Advocate,
for the petitioner.

MANOJ BAJAJ, J.

This petition has been filed for setting-aside the order dated 06.12.2019, whereby the application filed by the petitioner under Section 245(2) Cr.P.C. for discharge was declined by the trial Court and he was ordered to be charge sheeted under Section 22 of the Narcotic Drugs and Psychotropic Substances Act in case FIR No.17 dated 22.03.2019, under Section 22 of the NDPS Act, registered at Police Station, Sadar Rampura, District Bathinda.

Learned counsel for the petitioner was confronted with the maintainability of the revision as the provisions of Section 245(2) Cr.P.C. contained in Part-B of Chapter-XIX Cr.P.C. are applicable to a case instituted other than on a police report. Since prosecution of the petitioner pertained to the FIR case, which is based on police report, therefore, the learned counsel concedes that his application was not maintainable.

Resultantly, he does not press this petition and wishes to withdraw the same.

Dismissed as withdrawn.

February 13, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

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