

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

107

**CRM-M-19109-2021
Date of decision : 27.07.2021**

Pinky

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Kanwalvir Singh Kang, Advocate for the petitioner.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for issuance of necessary directions for handing over the investigation of the case FIR No.240 dated 19.10.2020 registered under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Nabha, Distrit Patiala to CBI with further direction to the Investigating Agency to conclude the investigation at the earliest and direction to respondent No.3 to obtain and preserve the call details and tower location record of the erring police officials as well as husband of the petitioner.

In the course of arguments, learned Counsel for the petitioner has conceded that on completion of investigation report under Section 173(2) of the Cr.P.C. has been filed which is pending for trial.

Learned Counsel for the petitioner has also conceded that

the petitioner was not present at the time of arrest of her husband and filed the present petition on the basis of statements of persons preset at the time of arrest of her husband.

After arguing for sometime learned Counsel for the petitioner submits that the present petition may be dismissed as withdrawn with liberty to/without prejudice to right of accused-Karamjit Singh, husband of the petitioner, to prove his defence by way of producing appropriate defence evidence at the appropriate stage and also seek direction from the trial Court for obtaining and preserving call details and tower location of his own as well as concerned police officials.

Dismissed as withdrawn with liberty to/without prejudice to right of accused-Karamjit Singh as aforesaid.

27.07.2021

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No