

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

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(PROCEEDINGS THROUGH V.C.)

CRA-D-651-DB-2021 (O&M)

Date of decision : 18.11.2021

Ramdass Singh and others

.....Appellants

VERSUS

National Investigation Agency and another

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR JUSTICE SANDEEP MOUDGIL**

Present: Mr. Bhanu Pratap Singh, Advocate
for the appellants.

Mr. Sukhdeep Singh Sandhu, Sr. Standing Counsel,
for NIA-respondent No. 1.

Mr. S.P.S.Tinna, Addl. A.G. Punjab,
for respondent No. 2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order dated 20.04.2021 passed by the Additional Sessions Judge, Ludhiana, whereby an application preferred under Section 167(2) Cr. P.C. read with Section 43-D of Unlawful Activities (Prevention) Act, stands dismissed.

It is an admitted position that the investigation in this case has been carried out by the Investigating Agency of the State of Punjab and not by the NIA. In the light of the said fact that the appeal against the said order passed by the Additional Sessions Judge, Ludhiana, would be maintainable not before a Division Bench of this Court, the approach of the appellants, in the light of the order dated 13.10.2021 (Annexure A-1) passed by the learned Single Judge, would not be in consonance with the

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provisions of the Statute. In any case, the said order having not been challenged before this Court nor can it be so challenged, as there is no provision for the same, we dismiss the present appeal.

(AUGUSTINE GEORGE MASI)
JUDGE

18.11.2021
pj

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No