

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39345-2019 (O&M)
Date of decision: 16.03.2021

Charanjeet Lal

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anurag Chopra, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-7228-2021

For the reasons stated in the application, same is allowed and date
of hearing is preponed from 15.07.2021 to today.

CRM stands disposed of.

CRM-M-39345-2019

Prayer in this petition is for issuance of directions to the

respondents to transfer the investigation/re-investigation/fresh investigation in FIR No.93 dated 14.07.2017 under Section 22 of NDPS Act, registered at Police Station Lambran, District Jalandhar Rural.

Brief facts of the case, as per the prosecution version, are that on 14.07.2017, the petitioner was apprehended by the police party and 65 grams of narcotic substance was recovered from him.

Learned counsel for the petitioner submits that the police has not conducted the proper investigation, as the incident was recorded in CCTV camera, however, the same was not taken into consideration, while conducting the investigation.

Reply by way of affidavit of Deputy Superintendent of Police, Sub Division Kartarpur, District Jalandhar (Rural) is on record and as per this reply, the petitioner has, for the first time, raised the plea of CCTV footage, by filing this petition and in case the DVR was provided to the police authorities, the same could have been investigated.

Learned State counsel has additionally submitted that challan in this case was presented on 09.07.2018 and thereafter, charges were framed on 23.07.2018 and out of total 08 prosecution witnesses, 02 PWs have already been examined and the petitioner is absenting from the Court proceedings since 03.06.2019, though this fact is disputed by learned counsel for the petitioner that the petitioner has moved an application for exemption.

Be whatsoever, in view of the averments made in para No.6 of affidavit of DSP, this petition is disposed of.

The petitioner, if moves an application under Section 173 (8) Cr.P.C. before the trial Court, the same be decided expeditiously within a period of two months from submission of the application, in accordance with law.

16.03.2021
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No