

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CRM No. M-3392 of 2022
Date of Decision : 08.02.2022

Sartaj Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view advance copy given)

Harsimran Singh Sethi J. (Oral)

The present petition has been filed seeking a direction to respondents No. 2 and 3 to get the prosecution witnesses examined in relation to FIR No. 190 dated 02.11.2017, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ajnala, Amritsar.

Learned counsel for the petitioner argues that in the present case, the challan was presented on 01.11.2018 and the charges were also framed on the same day and despite the expiry of approximately more than three years, not even a single witness of the prosecution has been examined out of the total 09 witnesses cited. Learned counsel for the petitioner submits that non-examination of the prosecution witnesses is causing

prejudice to the petitioner as he is facing the said agony for the last more than 04 years.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel concedes the factum that out of total 09 witnesses cited to be examined, none has been examined so far but he is not able to tender any justifiable reason for the said default. Learned State counsel submits that he has instructions to submit that as all the 09 witnesses to be examined are official witnesses, the same will be examined within a period of four months from the next date of hearing.

Learned counsel for the petitioner submits that keeping in view the said undertaking given by learned State counsel, no further grievance of the petitioner survives in the present petition and the same may kindly be disposed of having been not pressed.

Ordered accordingly.

February 08, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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