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

CRR-2306-2015 (O&M)  
Date of decision:11.02.2022

PARMINDERJIT SINGH GILL AND ORS

...Petitioners

Versus

DIRECTORATE OF REVENUE INTELLIGENCE

...Respondent

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate with  
Mr. Harlove Singh Rajput, Advocate  
for the petitioners.

Mr. Sidhi Bansal, Advocate for  
Mr. Sunish Bindlish, Advocate  
for respondent.

(Through Video Conferencing)

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**SURESHWAR THAKUR, J. (ORAL)**

1. Through the instant criminal revision petition, a challenge is made to an order drawn on 16.05.2015, by the learned Additional Sessions Judge, Ludhiana. Through the aforemade order charges became drawn against the petitioners for offences constituted under Sections 22, 27-A, 29 of the NDPS Act.

2. The learned counsel for the petitioners, and, also the learned counsel appearing for the respondent, very fairly submit before this Court, that after the drawing of the afore impugned charges, against the accused-revisionist herein, the trial has progressed inasmuch as, about five prosecution witnesses have already been examined. Moreover, it is also fairly stated at the bar, that an application, under Section 311 Cr.P.C., has been moved by the prosecutor concerned, before the learned trial Judge concerned, and, is pending adjudication. The effect of the afore made statement by the counsels appearing

for the contesting litigants concerned, is that the challenge as made to the drawing of the charges, through the instant petition, does not survive, as it would survive only when the learned trial Judge concerned, did not proceed to open trial, upon the charges (supra), through his proceeding to record the evidence of the prosecution witnesses concerned. Since the learned trial Judge concerned, has proceeded to permit the prosecutor concerned, to adduce evidence, on the charges concerned, given their being no order of stay made by this Court, in any interim application, hence rather restraining the learned trial Judge concerned, from proceeding to, open trial upon the charges (supra), through adduction of prosecution evidence thereons.

3. In summa the petition does not survive, and, has become infructuous. However, liberty reserved to the petitioners herein, to take all defences either through making cross-examinations, upon the prosecution witnesses concerned, or through adducing defence evidence.

4.. With the afore said observation, the petition is disposed of.

5. Pending miscellaneous application(s), if any, stand(s), disposed of.

(SURESHWAR THAKUR)  
JUDGE

11.02.2022

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| <b>Whether speaking/reasoned:-</b> | <b>Yes/No</b>        |
| <b><i>Whether reportable:</i></b>  | <b><i>Yes/No</i></b> |