

205-B**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-41415-2021

Date of decision:07.03.2022

DHAWAN SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

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

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The report of the FSL concerned, has been placed on record by the learned State counsel. A perusal thereof indicates, that the prohibited salt was existing within the sample, as became sent for analysis to the FSL concerned.

2. Moreover, since the weight of the seizure falls within the ambit of commercial quantity thereof. Therefore, the learned counsel for the petitioner seeks the leave of this Court to withdraw the instant petition. Leave granted.

3. Dismissed as withdrawn.

4. However, liberty is reserved to the petitioner to, after the afore report being tendered into evidence by the learned Public Prosecutor concerned, to seek leave of the learned trial Judge concerned, to ensure the stepping into the witness box of the author of the report of the FSL concerned, for enabling the defence counsel, as engaged by the accused, to

cross-examine the author of the FSL report concerned.

5. Moreover, the learned trial Judge concerned, is also directed to, within three months hereafter conclude the trial, as arises from FIR No. 63 of 10.03.2021, constituting therein offence under Sections 21, 21(c), 29, of NDPS Act, 1985, and, registered at Police Station Sadar Fazilka, District Fazilka.

07.03.2022

ithlesh

**(SURESHWAR THAKUR)
JUDGE**

Whether speaking/reasoned:-
Whether reportable:

Yes/No
Yes/No