

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

CRM-M No.11015 of 2022 (O&M)

Date of decision: 16th January, 2023

Yogesh Kumar @ Sonu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Hitesh Verma, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab with
Mr. Sandeep Malik, IPS, SSP Barnala
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

This is first petition filed by the petitioner under Section 439 Cr.P.C. in case bearing FIR No.21 dated 13.04.2021 (Annexure P-1) under Sections 22, 25, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Rureke Kalan, District Barnala.

In compliance of the order dated 12.01.2023 passed by this Court, Mr. Sandeep Malik, IPS, SSP Barnala has come present in the Court today. Learned State counsel on instructions submits that no doubt 2 prosecution witnesses had not been putting in an appearance before the Court as a result of which the trial had indeed been delayed, but it was on account of the fact that one of those witnesses is a retired police official and qua the other witness learned State counsel submits that the SSP has assured that there would be no further delay and all the

prosecution witnesses would definitely be appearing before the trial Court on the dates fixed to get their evidence recorded.

Learned State counsel has further submitted that it was a case of secret information wherein the petitioner was specifically named. He was later-on apprehended by the investigating agency along with two other accused and recovery of 297 grams of Tramadol was effected from the conscious possession of the petitioner besides recovery of other intoxicant tablets from the co-accused, who were accompanying the petitioner on the fateful day. Learned State counsel, still further submits on instructions that the next date fixed before the trial Court is 19.01.2023 when two more witnesses would be examined. It has also been submitted that after two witnesses are examined on the next date of hearing, only four would remain to be examined.

In the circumstances, learned counsel for the petitioner submits that he does not press the instant petition at this stage.

Dismissed as not pressed.

The officer is discharged from his personal appearance before this Court in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

January 16, 2023
rps

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