

CRR-2168-2019

Date of decision: 27.02.2023

Surjit

...Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**Present:** None for the petitioner.

Mr. Anup Singh, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

The instant revision petition has been filed by the petitioner challenging the impugned order dated 26.08.2019 passed by the learned Additional Sessions Judge, Gurdaspur whereby the application filed by the petitioner under Section 167(2) Cr.PC has been dismissed.

Learned State counsel has produced a copy of judgment dated 24.09.2021 passed by the learned Judge, Special Court, Gurdaspur. The relevant part of the same is reproduced as under:-

“13. After hearing the convicts as well as learned Addl. PP for the State, this Court is of the opinion that 18 gms heroin having ingredients of Diphenoxylate was recovered from the accused/convict Surjeet which is minor more than from the small quantity and greater less than commercial quantity as per the schedule of NDPS Act. Moreover, the accused Surjeet remained in custody from 20.06.2019 to 21.11.2019. Further confession made by the accused/convict and mitigating circumstances, which are in her favour, hence, it would be appropriate and justified in the interest of justice to award the sentence of imprisonment to the accused already undergone by her from the date of her arrest and when she was released from the custody on bail during the time of investigation of this case and accordingly accused is ordered to be sentenced of imprisonment already undergone as referred

above and also ordered to pay a fine of Rs.5000/- by the accused/convict and the same has been deposited by the accused/convict against proper receipt. The accused is set at liberty. Bail bonds and surety bonds of the accused stand discharged. Case property be disposed of as per rules but subject to appeal/revision, if any. File be consigned to the record room.”

He further submits that nothing further survives in the petition and the same may be disposed of as having become infructuous.

Accordingly, the instant petition stands disposed of as having become infructuous.

27.02.2023

Parveen kumar

**(NAMIT KUMAR)
JUDGE**

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