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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-754-DBA-2003

Date of Decision: 24.05.2024

State of Haryana

...Appellant

Vs.

Bhinder Singh and Anr.

...Respondents

Coram : **Hon’ble Mr. Justice Gurvinder Singh Gill**
 Hon’ble Mr. Justice N.S.Shekhawat

Present: Ms. Sheenu Sura, Deputy Advocate General, Haryana.

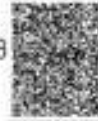
Mr. Saurabh Sharma, Advocate as Amicus Curiae
for the respondents

N.S.Shekhawat J.

1. On the last date of hearing, Mr. Karan Pathak, Advocate was appointed as Amicus Curiae to assist the Court on behalf of the respondents. However, he is not present in Court today.

2. Consequently, Mr. Saurabh Sharma, Advocate, (PH-6007/2021 M. No. 7888524482), who is present in the Court, is appointed as Amicus Curiae on behalf of the respondents and has argued the matter. His fees is to be assessed and paid by the High Court Legal Services Authority as per rules and practices. The appointment of Amicus Curiae shall be governed by the relevant rules and instructions.

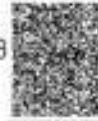
3. By way of the instant appeal, the State of Haryana has assailed the impugned judgment dated 04.03.2003, passed by the Special Court, Karnal, whereby the respondents were ordered to be acquitted of the charge under Section 15 of the Narcotic Drugs and Psychotropic Substances Act (hereinafter



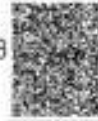
referred to as the “Act”).

4. The FIR Ex. PC/2 was registered in the present case on the basis of ruqa Ex.PC sent by Bhim Singh Inspector, SI/SHO, Police Station Sadar, Karnal. The FIR has been reproduced below:-

To, The MHC, Police Station Sadar, Karnal, Jai Hind. Sir,
Today, I Inspector/SHO along with Jagan Nath HC no.135, Jai Singh HC no. 767, Balwan Chand C.No.261, Satpal Singh HC.No.530, Balwan Singh CI No.29. Subhash Chand C.NBo.973 was going towards Hakikat Nagar in a Government Vehicle bearing registration no.HR-05E/1890 being driven by Ramesh Kumar C.No.386. When we reached near Hakikat Nagar Gogripur Road., then a secret information was received that accused Sucha Singh son of Sultan Singh, resident of Hakikat Nagar, Balvinder Singh son of Pyar Singh, R/o Kot Sekha, Barkat Singh son of Fakir Masech, R/o Tindwa (Punjab), Amrit son of Maraat, Chistan, resident of Behka Butar (Punjab) and Bindu @ Binder Singh son of Sewa Ram, resident of Maajri, (Kaithal) were keeping the bags of poppy husk in the house of Sucha Singh by unloading bags from a truck bearing no.HR-01/8667. If an immediate raid is conducted, then they can be apprehended red handed. On the basis of this information. I alongwith officials at once reached at the spot at the house of Sucha Singh. A truck was found parked in front of the house, found two persons dragging the bags towards 'dala' (the rear side of the truck), and one person was found entering the house by carrying bags from the truck. On seeing the police party. the persons succeeded in escaping by scaling the southern wall after throwing the bags in the court yard. The two persons who were dragging the bags from inside the truck were apprehended with the intervention of other officials. Two other persons, who were found littering the bags in the Varandah of the house, were also apprehended and interrogated. The persons who were apprehended from the truck, disclosed their names as Binder Singh



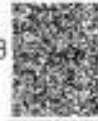
son of Sewa Ram, Caste Majbi, R/o Maajri, P.S.Gulha and Amrit son of Maraat, Caste Christan, R/o Behka Butar, P.S.Jeera, District Ferozpur (Punjab) and the name of persons, who had escaped from the spot by throwing the bags in the court yard was disclosed as Sucha Singh son of Sultan Singh, Caste Christan, Rio Tindwa, P.S.Jeera, District Ferozpur, now resident of Hakikat Nagar, Karnal and the names of the persons, who were apprehended from the room, disclosed their names as Balvinder Singh son of Pyara Singh, Caste Rajput, R/o Kot Sekha, P.S.Jeera, District Ferozpur and Barkat Singh son of Fakir Masech, Caste Christan, R/o Tindwa, P.S.Jeera, District Ferozpur (Punjab). I asked all the aforesaid persons that I have suspicion of having poppy husk kept in the gunny bags in the truck and the room and the gunny bags thrown in the Varandah. Whether you want to get these bags searched before me or the Magistrate or any Gazetted Officer, in reply all the aforesaid four persons opted to get these bags searched in the presence of Gazetted Officer. A separate memo upon this was prepared and then the information to the Control Room through available wireless set for sending the Gazetted Officer at the spot, was given. On which, Shri Randhir Singh DSP(HQ), Karnal in the Government Gypsy bearing, No. HR-05A/8141 along with his staff reached at the spot and disclosed with regard to the aforesaid facts. Thereafter, on the direction of DSP, first of all the bags kept in the truck were counted and found to have 17 bags. These bags were unloaded from the truck, checked and found containing poppy husk from the said bags. Thereafter, the bags which were thrown in the Court yard of the house of Sucha Singh were checked and poppy husk found containing therein. Thereafter, the bags kept in the room were counted and found to have 22 gunny bags. There were also checked, and found containing poppy husk. After arranging weights and scale, all the forty bags were weighed and found containing of 35 kgs poppy husk in each bag. After separating 250-



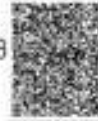
250 gms from each bag as sample and were converted into parcel and remainder of all the 40 bags containing 34 Kgs 750 gms poppy husk each and sample parcels were sealed with the seal of 'BS' separately. Truck no.HR-01/8667 was taken into police possession vide a separate memo. Sample seal was also prepared separately. Seal after use was handed over to HC Jagan Nath No.135. Accused Sucha Singh, Barkat Singh, Balvinder Singh, Amrit and Binder Singh had committed an offence under section 15-61-85 of NDPS Act by keeping in their possession 40 bags containing 1400 kgs poppy husk in total. Therefore, writing was sent through Balwan Singh C.No. 29 to police station for registration of the case. After registration of the case, its number be intimated. I, the Inspector/SHO along with associated busy in investigation at the spot.”

5. After the registration of the FIR, the investigation in the present case was completed and the challan was filed before the Special Court, Karnal against the respondents and others. The Special Court, Karnal ordered framing of charge under Section 15 of the “Act” against the respondents, to which they pleaded not guilty and claimed trial.

6. During the course of evidence, to prove the charge against the respondents, the prosecution had placed reliance on 11 witnesses in the present case. C. Krishan Kumar was examined as PW-1, who had delivered the special reports in the present case. SI, Raghbir Singh was examined as PW-2, who had recorded the formal FIR Ex.PB in the present case and sent the special report to Area Magistrate and the higher police officers in the present case. The prosecution further examined PW-3, HC, Chattar Singh, who had deposited the samples with the FSL and the receipt was handed over to MHC of the police station on the same day. The prosecution further examined Rajpal, ASI as



PW-4, who was posted as MHC in Police Station, Sadar, Karnal on 04.08.1997. 40 samples were handed over by him to Constable Chattar Singh for the depositing in the FSL and after depositing the case property, the receipt was again handed over to him. He stated that the case property remained intact till it remained in his possession. In cross examination, he admitted that in register No.19, there was overwriting with regard to weight of each bag. 39 Kg was converted into 34 Kg. There was also an entry with regard to RC No.1177 dated 14.08.1997 in place of 1176. There was no mention of sample seal in the abovestated entry. The prosecution further examined Karnail Singh as PW-5, who had brought the record relating to vehicle No. HR.01.8667, which was used by the accused. The prosecution further examined Satpal Singh, ASI as PW-6, who had conducted the search of the truck, which was involved in the present case and took into possession the registration certificate of the truck. The prosecution further examined Radhir Singh, DSP as PW-7, who had joined the search and seizure in the present case. Still further, the prosecution examined Rattan Singh, ASI as PW-8, who had arrested accused Sucha Singh on 03.06.2002 and produced him before the Court. PW-9, HC Thath Singh, who had witnessed the disclosure statement Ex.PD suffered by the accused, Sucha Singh. SI, Jagat Singh was examined as PW-10, who was part of the team, who had conducted the raid in the present case. In his cross-examination, he admitted that there was a residential colony where secret information was received and the place of recovery was also surrounded by the residential houses. He admitted that many public persons were coming and going on Karnal Ghogripur Road, when they were coming towards the place of recovery. They tried to join some persons from the public, but they showed their inability.



No action was taken against any of them and he could not tell the name of any such person as they did not divulge the same. No independent person was joined initially. Even no proof of ownership of the house in question was taken into possession by the police. Inspector Bhim Singh appeared as PW-11 in the present case. He had reiterated the averments made by him in the FIR in the present case. In his cross-examination, he admitted that he had received a secret information, however, the same was not reduced into writing nor it was sent to the police station, nor the said information was given to higher police officers. It was thoroughfare, where the secret information was received, but no person from the public was joined in the investigation. No person was also joined from the adjoining houses of place of recovery. When they reached the house of accused, no other person except the five accused was there. He admitted that the case property was not present in the Court on that day. He also did not verify about the ownership proof of the house of Sucha Singh, accused. He also did not record any statement of any neighbour regarding this fact.

7. After the closure of the prosecution evidence, the statements of the accused were recorded under Section 313 Cr. P.C and they pleaded their false implication in the present case. However, no defence evidence was led by any of the respondents/accused in the present case.

8. Learned counsel for the appellant vehemently argued that the evidence adduced by the prosecution was quite cogent, trustworthy and reliable and the Trial Court had committed a grave error by ignoring the said evidence. She further contends that in the present case, the Investigating Officer was on patrolling duty and on getting the secret information, he went to the spot with the police team, apprehended the accused and heavy recovery had been effected



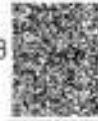
from all the accused which can never be planted on them. Even otherwise, the provisions of Section 42 of the NDPS Act are not mandatory in nature and the prosecution could not have been thrown on the ground of non-compliance of said provision. Learned State counsel further submitted that the Trial Court had taken into consideration the minor inconsistencies in the statements of various prosecution witnesses and the impugned judgment is legally unsustainable.

9. On the other hand, learned counsel appearing on behalf of respondents submitted that there was non-compliance of Section 100 of Code of Criminal Procedure as well as Section 42 of the NDPS Act and since the mandatory provisions of law had been overlooked, the respondents had been correctly acquitted by the Trial Court. Apart from that, the Trial Court had correctly appreciated the evidence in the present case and the impugned judgment was legally sustainable.

10. We have heard learned counsel for the parties at length and after analysing the evidence in the light of the settled canons of law.

11. The entire controversy in the present case hinges upon the interpretation of the Section 42 of the NDPS Act, which has been reproduced below:-

"42. Power of entry, search, seizure and arrest without warrant or authorisation -(1) Any such officer (being an officer superior in rank to a peon, sepoy or constable) of the departments of central excise, narcotics, customs, revenue intelligence or any other department of the Central Government including para-military forces or armed forces as is empowered in this behalf by general or special order by the Central Government, or any such officer (being an officer superior in rank to a peon, sepoy or constable) of the revenue, drugs control, excise, police or any other department



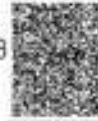
of a State Government as is empowered in this behalf by general or special order of the State Government, if he has reason to believe from persons knowledge or information given by any person and taken down in writing that any narcotic drug, or psychotropic substance, or controlled substance in respect of which an offence punishable under this Act has been committed or any document or other article which may furnish evidence of the commission of such offence or any illegally acquired property or any document or other article which may furnish evidence of holding any illegally acquired property which is liable for seizure or freezing or forfeiture under Chapter VA of this Act is kept or concealed in any building, conveyance or enclosed place, may between sunrise and sunset,-

(a) enter into and search any such building, conveyance or place;

(b) in case of resistance, break open any door and remove any obstacle to such entry;

(c) seize such drug or substance and all materials used in the manufacture thereof and any other article and any animal or conveyance which he has reason to believe to be liable to confiscation under this Act and any document or other article which he has reason to believe may furnish evidence of the commission of any offence punishable under this Act or furnish evidence of holding any illegally acquired property which is liable for seizure or freezing or forfeiture under Chapter VA of this Act; and

(d) detain and search, and, if he thinks proper, arrest any person whom he has reason to believe to have committed any offence punishable under this Act: Provided that if such officer has reason to believe that a search warrant or authorisation cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of an offender, he may enter and search such building, conveyance or enclosed place at any time between sunset and sunrise after recording the grounds of his



belief.

(2) Where an officer takes down any information in writing under sub-section (1) or records grounds for his belief under the proviso thereto, he shall within seventy-two hours send a copy thereof to his immediate official superior".

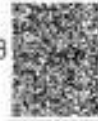
While interpreting the provisions of Section 42 of the NDPS Act, the Hon'ble Supreme Court has held in the matter of **Rajender Singh Vs. State of Haryana, 2011, (3) R.C.R. (Criminal) 856** as follows:-

"4.A reading of the above said provision pre-supposes that if an authorised officer has reason to believe from personal knowledge or information received by him that some person is dealing in a narcotic drug or a psychotropic substance, he should ordinarily take down the information in writing except in cases of urgency which are set out in the Section itself. Section 42(2), however, which calls for interpretation in the matter before us, is however categorical that the information if taken down in writing shall be sent to the superior officer forthwith. In Karnail Singh's case, this Court has held that the provisions of Section 42(2) are mandatory and the essence of the provisions has been set out in the following terms :

"In conclusion, what is to be noticed is that Abdul Rashid did not require literal compliance with the requirements of Sections 42(1) and 42(2) nor did Sajjan Abraham hold that the requirements of Sections 42(1) and 42(2) need not be fulfilled at all. The effect of the two decisions was as follows:

(a) The Officer on receiving the information [of the nature referred to in sub-section (1) of Section 42] from any person had to record it in writing in the register concerned and forthwith send a copy to his immediate official superior, before proceeding to take action in terms of clauses (a) to (d) of Section 42(1).

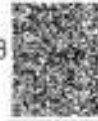
(b) But if the information was received when the officer was not in



the police station, but while he was on the move either on patrol duty or otherwise, either by mobile phone, or other means, and the information calls for immediate action and any delay would have resulted in the goods or evidence being removed or destroyed, it would not be feasible or practical to take down in writing the information given to him, in such a situation, he could take action as per clauses (a) to (d) of Section 42(1) and thereafter, as soon as it is practical, record the information in writing and forthwith inform the same to the official superior.

(c) In other words, the compliance with the requirements of Sections 42(1) and 42(2) in regard to writing down the information received and sending a copy thereof to the superior of officer, should normally precede the entry, search and seizure by the of officer. But in special circumstances involving emergent situations, the recording of the information in writing and sending a copy thereof to the of official superior may get postponed by a reasonable period, that is, after the search, entry and seizure. The question is one of urgency and expediency.

(d) While total non-compliance with requirements of subsections (1) and (2) of Section 42 is impermissible, delayed compliance with satisfactory explanation about the delay will be acceptable compliance with Section 42. To illustrate, if any delay may result in the accused escaping or the goods or evidence being destroyed or removed, not recording in writing the information received, before initiating action, or non-sending of a copy of such information to the official superior forthwith, may not be treated as violation of Section 42. But if the information was received when the police officer was in the police station with sufficient time to take action, and if the police officer fails to record in writing the information received, or fails to send a copy thereof, to the official superior, then it will be a suspicious circumstance being a clear violation of Section 42 of the Act. Similarly, where the police officer does not record the information at all, and does not inform



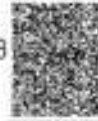
the of official superior at all, then also it will be a clear violation of Section 42 of the Act. Whether there is adequate or substantial compliance with Section 42 or not is a question of fact to be decided in each case. The above position got strengthened with the amendment to Section 42 by Act 9 of 2001."

5.It is therefore clear that the total non-compliance with the provisions sub-section (1) and (2) of Section 42 is impermissible but delayed compliance with a satisfactory explanation for the delay can, however, be countenanced.. We have gone through the evidence of PW-6 Kuldip Singh. He clearly admitted in his cross-examination that he had not prepared any record about the secret information received by him in writing and had not sent any such information to the higher authorities. Likewise, PW-5 DSP Charanjit Singh did not utter a single word about the receipt of any written information from his junior officer Inspector Kuldip Singh. It is, therefore, clear that there has been complete noncompliance with the provisions of Section 42(2) of the Act which vitiates the conviction.

12. Still further, the Hon'ble Supreme Court, while relying upon the findings recorded by the Constitution Bench of the Hon'ble Supreme Court in the matter of **Karnail Singh v. State of Haryana, (2009) 8 SCC 539, held** in the matter of **"Boota Singh v. State of Haryana"**2021 AIR (Supreme Court) 1913 as follows:-

10. In *Karnail Singh*, the Constitution Bench of this Court concluded:-

*"35. In conclusion, what is to be noticed is that **Abdul Rashid [(2000) 2 SCC 513 : 2000 SCC (Cri) 496]** did not require literal compliance with the requirements of Sections 42(1) and 42(2) nor did **Sajan Abraham [(2001) 6 SCC 692 : 2001 SCC (Cri) 1217]** hold that the requirements of Sections 42(1) and 42(2) need not be*



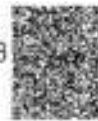
fulfilled at all. The effect of the two decisions was as follows:

(a) The officer on receiving the information [of the nature referred to in sub-section (1) of Section 42] from any person had to record it in writing in the register concerned and forthwith send a copy to his immediate official superior, before proceeding to take action in terms of clauses (a) to (d) of Section 42(1).

(b) But if the information was received when the officer was not in the police station, but while he was on the move either on patrol duty or otherwise, either by mobile phone, or other means, and the information calls for immediate action and any delay would have resulted in the goods or evidence being removed or destroyed, it would not be feasible or practical to take down in writing the information given to him, in such a situation, he could take action as per clauses (a) to (d) of Section 42(1) and thereafter, as soon as it is practical, record the information in writing and forthwith inform the same to the official superior.

(c) In other words, the compliance with the requirements of Sections 42(1) and 42(2) in regard to writing down the information received and sending a copy thereof to the superior officer, should normally precede the entry, search and seizure by the officer. But in special circumstances involving emergent situations, the recording of the information in writing and sending a copy thereof to the official superior may get postponed by a reasonable period, that is, after the search, entry and seizure. The question is one of urgency and expediency.

(d) While total non-compliance with requirements of subsections (1) and (2) of Section 42 is impermissible, delayed compliance with satisfactory explanation about the delay will be acceptable compliance with Section 42. To illustrate, if any delay may result in the accused escaping or the goods or evidence being destroyed or removed, not recording in writing the information



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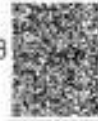
(Emphasis added)

11. In Jagraj Singh alias Hansa, the facts were more or less identical. In that case, the vehicle (as observed in para 5.3 of the decision) was not a public transport vehicle. After considering the relevant provisions and some of the decisions of this Court including the decision in Karnail Singh, it was observed:-

"14. What Section 42(2) requires is that where an officer takes down an information in writing under sub-section (1) he shall send a copy thereof to his immediate officer senior. The communication Ext. P-15 which was sent to the Circle Officer, Nohar was not as per the information recorded in Ext. P-14 and Ext. P-21. Thus, no error was committed by the High Court in coming to the conclusion that there was breach of Section 42(2).

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16. In this context, it is relevant to note that before the Special Judge also the breach of Sections 42(1) and 42(2) was contended on behalf of the defence. In para 12 of the judgment the Special Judge noted the above arguments of defence.



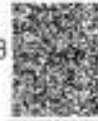
However, the arguments based on non-compliance with Section 42(2) were brushed aside by observing that discrepancy in Ext. P- 14 and Ext. P-15 is totally due to clerical mistake and there was compliance with Section 42(2). The Special Judge coming to compliance with the proviso to Section 42(1) held that the vehicle searched was being used to transport passengers as has been clearly stated by its owner Vira Ram, hence, as per the Explanation to Section 43 of the Act, the vehicle was a public transport vehicle and there was no need of any warrant or authority to search such a vehicle. The High Court has reversed the above findings of the Special Judge. We thus, proceed to examine as to whether Section 43 was attracted in the present case which obviated the requirement of Section 42(1) proviso.

.....

29. After referring to the earlier judgments, the Constitution Bench came to the conclusion that non-compliance with requirement of Sections 42 and 50 is impermissible whereas delayed compliance with satisfactory explanation will be acceptable compliance with Section 42. The Constitution Bench noted the effect of the aforesaid two decisions in para 5. The present is not a case where insofar as compliance with Section 42(1) proviso even an argument based on substantial compliance is raised there is total non-compliance with Section 42(1) proviso. As observed above, Section 43 being not attracted, search was to be conducted after complying with the provisions of Section 42. We thus, conclude that the High Court has rightly held that non-compliance with Section 42(1) and Section 42(2) were proved on the record and the High Court has not committed any error in setting aside the conviction order."

(Emphasis added)

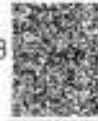
12. The evidence in the present case clearly shows that the vehicle was not a public conveyance but was a vehicle belonging



to accused Gurdeep Singh. The Registration Certificate of the vehicle, which has been placed on record also does not indicate it to be a Public Transport Vehicle. The explanation to Section 43 shows that a private vehicle would not come within the expression "public place" as explained in Section 43 of the NDPS Act. On the strength of the decision of this Court in Jagraj Singh alias Hansa, the relevant provision would not be Section 43 of the NDPS Act but the case would come under Section 42 of the NDPS Act.

13. We have to analyse the evidence of the present case in the light of the abovestated guiding principles laid down by the Hon'ble Supreme Court. In the present case, the police team which has conducted the search and seizure at the spot, was headed by Inspector Bhim Singh, SI/SHO, Police Station Sadar, Karnal. In his cross-examination he clearly stated that he had received the secret information in the present case. However, the secret information was not reduced into writing nor it was sent to the police station, nor the said information was given to higher police officers. Thus, apparently, there was non-compliance of the mandatory provisions of Section 42 of the NDPS Act in the present case. Even otherwise, the Trial Court was right in observing that the search was made between sunset on 04.08.1997 and sunrise on 05.08.1997 and in that case, authorisation to make entry was required or at least the officer concerned was required to prove that if such process had been gone into, there was an opportunity regarding the concealment of evidence or facility to the offenders to escape. Since there was no compliance, the impugned judgment is liable to be upheld.

14. Apart from that, the recovery of the contraband was allegedly made



from a house, which belongs to Sucha Singh, accused. However, PW-10, SI Jagat Singh clearly admitted that no proof regarding the ownership of the house in question was taken into possession by the police. Similarly, PW-11, Inspector Bhim Singh also admitted that he did not verify about the ownership proof of the house of Sucha Singh. Thus, the prosecution had failed to prove that the house, from where the recovery was effected, actually belong to Sucha Singh, accused, in the present case.

15. Apart from that, while discussing the link evidence and the effect of tampering in the records of the case, the Trial Court has recorded the following observations:-

9.Link evidence is also not complete because the witnesses have stated differently about the number of seals put on the samples and remainder. PWs Bhim Singh and Jagan Nath contradicted each other in that regard. Also the docket number given in various documents vide which the samples were sent, were different. When evidence was taken before Sucha Singh accused had appeared, the MHC concerned i.e. Rajpal had filed his affidavit Ex.PB which showed the docket number as 1177 of 14.8.1997 whereas when he appeared again when he was recalled, he stated that he had sent the samples vide RC No. 1176. Entry in register no. 19 in that regard showed RC No. 1177 and also there was no mention of the deposit of sample seal. The weight of each bag was also converted to 34 kgs from 39 kgs. There was thus no explanation about the discrepancy in the RC number and the overwriting in the quantity. Also there was no explanation as to how the sample seal reached the laboratory though it was not deposited with the MHC concerned.

10.Another glaring defect in the case comes to light from the certificate Ex.DB where above said Rajpal had mentioned under



his signatures that the date of deposit of the case property was 1.8.1997 and the weight of each bag was 34 Kgs. 700 grams whereas it should have been 34 Kgs. 750 grams. Even otherwise it remains absolutely unexplained as to how the date 1.8.1997 was mentioned in the certificate whereas the entire case of the prosecution was that recovery itself was made on 4.8.1997. The said certificate made a mention regarding forty bags of the contraband alongwith the truck in question having been deposited in the police station whereas the same document bore FIR No. 1187 of 4.8.1997. How the case was registered four days after the vehicle and the other case property had already been deposited with the MHC remains absolutely unexplained. Rather, this shows the blatant falsity of the case of the prosecution.

16. We have also carefully persued the abovestated findings and we have no reasons to deviate from the abovestated findings recorded by the Trial Court. In the present case, in our considered opinion, the impugned jugment is based on correct appreciation of evidence and law and it was impossible to convict the respondents due to non-compliance of mandatory provisions of the law.

17. Thus, finding no merits, the appeal is ordered to be dismissed and the impugned judgment dated 04.03.2003, passed by the Special Court, Karnal is ordered to be upheld.

(GURVINDER SINGH GILL)
JUDGE

(N.S.SHEKHAWAT)
JUDGE

24.05.2024
hitesh

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