

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

2024:PHHC:114185



(229)

CRM-M-27268-2024(O&M)
Date of Decision: 02.09.2024

Ramandeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.

Present:- Mr. G.S. Sandhu, Advocate for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

MAHABIR SINGH SINDHU.J

Present second petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.0205 dated 25.08.2022 registered under Section 18(b) of NDPS Act, 1985 and Section 25 of Arms Act at Police Station Lambi, District Sri Muktsar Sahib.

2. Allegations are that petitioner was apprehended while in conscious possession of 5.5 kgs of opium, 50 live cartridges of .32 bore, drug money of Rs.52,500/- and one country made pistol of .32 bore loaded with 6 live cartridges, which he was carrying without any permit.

3. Contends that petitioner is a first time offender and despite repeated opportunities, no prosecution witness is coming forward. Also submits that prosecution is unnecessarily delaying the proceedings just to prolong the incarceration of petitioner.

4. *Per contra*, learned State counsel, while opposing the prayer submits that 5.5 kgs of opium has been recovered from the petitioner, which is commercial in nature.
5. At this stage, when this Court was not inclined to accept the prayer, learned counsel for the petitioner, on instructions, wishes to withdraw the present petition, at this stage.
6. Ordered accordingly.
7. However, the order dated 25.07.2024 passed by this Court be brought to the notice of Home Secretary, Govt. of Punjab to take necessary action against the erring officials, who are not coming forward to depose before learned Special Court.
8. Compliance report be sent to this Court within a period of six weeks from today.

Pending application(s), if any, shall also stand disposed off.

(MAHABIR SINGH SINDHU)
JUDGE

02.09.2024

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No