

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 04.01.2024

1. CRM-M- 40621-2023 (O&M)

Kuldeep Sharma alias Kuldeep Kumar

... Petitioner

V/s.

State of Punjab

... Respondent

2. CRM-M-50782-2023 (O&M)

Satwant Singh

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: HON’BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Gagandeep Singh Gill, Advocate and
Mr. P. S. Sekhon, Advocate
for the petitioner in CRM-M-40621-2023.

Mr. Saurav Kanojia, Advocate
for the petitioner in CRM-M-50782-2023.

Mr. Gaurav Garg Dhuriwala, Addl. A. G., Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. Both the above-mentioned petitions are taken up together for
final disposal with the consent of learned counsel for the parties since both
the petitions arise out of the same FIR and the prayer in both the cases is for

the grant of regular bail.

2. Both the petitions have been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioners in FIR No. 100 dated 02.07.2020 under Section 21 and 22 of NDPS Act registered at Police Station Daresi District Ludhiana.

3. Compliance report by way of affidavit of Kuldeep Singh Chahal, IPS, Commissioner of Police, Ludhiana has been filed on behalf of the respondent-State in CRM-M-40621-2023 and the same is taken on record.

3. In pursuance of the orders passed in the previous order dated 16.11.2023, Sh. Kuldeep Singh Chahal, IPS, Commissioner of Police, Ludhiana is present in the Court today. He has stated that no doubt, there was a negligence on the part of officials who had not deposed before the Court on time as prosecution witnesses. He has stated that departmental action is being taken against nine officials. He has also stated that now in the present case, all the prosecution witnesses have been examined and even statement of one of the accused under Section 313 Cr.P.C. have been recorded and the trial is now at the fag end.

4. He has also stated that in pursuance to the instructions issued by the Director General of Police, Punjab, steps are being taken for remedial measures pertaining to the non-deposition of prosecution witnesses in various Courts especially in the NDPS matters. He further stated that the officers are being sensitized in this regard and the data is also being updated from time to time.

4. Learned counsel appearing on behalf of the petitioner(s) in both

CRM-M- 40621-2023 (O&M)

-3-

the cases have stated that now since the trial is at its fag end, they do not wish to press the present petitions and seek liberty to withdraw the same.

- 5. Allowed as prayed for.
- 6. Dismissed as withdrawn.

04.01.2024
Seema

(JASGURPREET SINGH PURI)
JUDGE

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