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

CRR-2003-2023

Date of Decision:-13.08.2024

DILAWAR SINGH

... Petitioner

Versus

NCB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr.Rajiv Kumar Saini Advocate
for the petitioner,

Ms. Gurmeet Kaur Gill, Sr. Panel Counsel
for respondent NCB.

SANJIV BERRY, J (ORAL)

1. By way of present petition petitioner has challenged the impugned order dated 21.07.2023 passed by learned Additional Sessions Judge, Amritsar whereby the appeal preferred by the petitioner against order dated 24.05.2023 passed by learned Principal Magistrate, Juvenile Justice Board, Amritsar in case No. 9 dated 28.03.2023 under Section 8, 21, 23, 29 & 60 NDPS Act, PS NCB, Amritsar had been dismissed.

2. It is *iner alia* contended by learned counsel for the petitioner that the petitioner being juvenile has been falsely implicated in this case and is in custody for last about one year and till date out 13 witnesses cited by the prosecution only 3 witnesses have been examined completely while examination-in-chief of 2 witnesses have been recorded.



3. Learned counsel appearing for the respondent NCB has opposed the bail application by submitting that the petitioner was found keeping in his possession 3 kgs. Heroin which is a commercial quantity and as such, petitioner is not entitled for concession of bail.
4. During course of arguments learned counsel for the petitioner sought for withdrawal of the petition at this stage but has prayed that keeping in view the young age of the petitioner the trial of the petitioner may be expedited by giving appropriate directions to the learned trial Court.
5. Considering the submissions made by learned counsel for the petitioner the petition stands dismissed as withdrawn.
6. However, keeping in view the age of petitioner (aged about 17 years) and is in custody for about one year and out of 13 witnesses cited by the prosecution only 3 witnesses have been examined, while examination-in-chief of 2 witnesses have been recorded, the learned trial Court is directed to take appropriate steps to dispose of the trial in an expeditious manner by giving short adjournments. The respondent authorities are also directed to ensure the presence of the witnesses in compliance of the summons so issued by the learned trial Court on the given date positively.
7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

13.08.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |