



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-36171-2026 (O&M)

Date of decision: 07.07.2026

Leena Sharma**...Petitioner****Versus****Union of India****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Manpreet Ghuman, Advocate
for the petitioner. (Through VC).

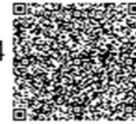
Mr. H. S. Sullar, Special Prosecutor for UOI/NCB.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 528 of BNSS, 2023, is for quashing of order dated 19.05.2026, passed by the Court of learned Additional Sessions Judge, Rupnagar in case arising out of Crime No. 43 dated 18.06.2022, registered under Sections 8, 20, 25 and 29 of the NDPS Act, 1985, whereby an application filed by the petitioner/accused for summoning two witnesses had been dismissed.

2. Learned counsel for the petitioner submits that the impugned order dated 19.05.2026, whereby the application for summoning defence witnesses has been dismissed, is not sustainable in the eyes of law. It is argued that the petitioner is entitled to a fair opportunity to lead defence evidence and that the application ought not to have been rejected on technical grounds. It is, thus, prayed that the impugned order be set aside and the petitioner be permitted to examine the proposed defence witnesses.

3. Notice of motion.



4. Learned counsel for the respondent UOI/NCB has advance notice of the petition. He has argued that the application was rightly dismissed as it failed to disclose the relevance of the proposed witnesses or the facts sought to be proved through the said witnesses. It is argued that sufficient opportunities have already been granted and no interference with the impugned order is called for. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. After hearing learned counsel for the parties, this Court is of the view that in the interest of a fair trial, the petitioner deserves one final opportunity to lead defence evidence. Accordingly, without expressing any opinion on the merits of the case, the present petition is disposed of by permitting the petitioner to examine only Witness No. 1 (as mentioned in his application) before the learned trial Court on one effective opportunity. No further adjournment shall be granted on this count and in the event of failure to examine the witness on the date fixed, the learned trial Court shall proceed with the matter in accordance with law.

07.07.2026

Wasem R. Ansari

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No