

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 490 OF 2001

STATE OF HARYANA

Appellant (s)

VERSUS

RAM KISHAN

Respondent(s)

(With office report )

Date: 12/09/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE H.S. BEDI

For Appellant(s) Mr. Rajeev Gaur 'Naseem', Adv.  
Mr.Rajesh Ranjan, Adv.  
Mr.T.V.George,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

The appeal is dismissed in terms of the signed order.

[ Usha Bhardwaj ]  
Court Master

[ Pushap Lata Bhardwaj ]  
Court Master

Signed order is placed on the file.  
IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.490 OF 2001

State of Haryana

Appellant(s)

Versus

Ram Kishan

Respondent(s)

ORDER

Respondent was tried for commission of an offence under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act). He was convicted by the learned Trial Judge. On an appeal having been preferred by him the High Court, however, opining that the search conducted on his person being in contravention of the provisions of Section 50 of the Act, acquitted him.

We may notice that no notice could be served on the respondent. We are informed at the bar that he had been declared a proclaimed offender.

The learned counsel for the appellant in this situation submits that the matter may be adjourned sine die. The First Information Report was lodged in 1987. The judgment of conviction was passed in 1989. The High Court has passed the impugned judgment on 1.12.1999 and this special leave petition has been filed on 16th May, 2000. In view of the passage of time

:2:

and having regard to the fact that the State is not in a position to apprehend the respondent we are of the opinion that no purpose would be served in adjourning this matter. Hence the appeal is dismissed on the aforesaid ground only.

.....J.

[ S.B. SINHA ]

.....J.

[H.S BEDI]

NEW DELHI,  
SEPTEMBER 12, 2007.