

ITEM NO.103

COURT NO.12

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SCriminal Appeal No(s). 912/2010

THE STATE OF HIMACHAL PRADESH

Appellant(s)

VERSUS

KARUNA SHANKAR PURI

Respondent(s)

WITH

Cr1.A. No. 1062/2011 (II-C)

Cr1.A. No. 1192/2010 (II-C)

Cr1.A. No. 1063/2011 (II-C)

Cr1.A. No. 2207/2010 (II-C)

Cr1.A. No. 1085/2016 (II-C)  
(FOR STAY APPLICATION - IA 3686/2014)

Cr1.A. No. 1090/2016 (II-C)

SLP(Cr1) No. 1541/2014 (II-C)  
(FOR STAY APPLICATION - IA 4209/2014)Cr1.A. No. 1083/2016 (II-C)  
(FOR STAY APPLICATION - IA 3049/2014)SLP(Cr1) No. 1164-1167/2014 (II-C)  
(SPECIAL LEAVE PETITION (CRL.) NO. 1164 OF 2014 IS DISMISSED VIDE  
THIS COURT'S ORDER DATED 28.10.2016.)

Cr1.A. No. 1092/2016 (II-C)

Cr1.A. No. 1084/2016 (II-C)

Cr1.A. No. 1089/2016 (II-C)

Cr1.A. No. 1088/2016 (II-C)

Cr1.A. No. 1091/2016 (II-C)  
(FOR PERMISSION TO FILE ANNEXURES - IA 7509/2015)

Date : 28-08-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE VINEET SARAN

For Appellant(s) Mr. Abhinav Mukerji, AAG  
 Ms. Bihu Sharma, Adv.  
 Ms. Purnima Krishna, Adv.  
 Ms. Pratishtha Vij, Adv.  
 Mr. Himanshu Tyagi, AOR

For Respondent(s) Mr. Jana Kalyan Das, Sr. Adv.  
 Mr. Sandeep Devashish Das, Adv.  
 Mr. Parmanand Gaur, AOR

Mr. Mahabir Singh, Sr. Adv.  
 Ms. Preeti Singh, AOR  
 Mr. Gagan Deep Sharma, Adv.  
 Mr. Naresh Beniwal, Adv.  
 Dr. Swati Jindal, Adv.  
 Mr. Mohit Verma, Adv.  
 Mr. Suvigya Vidyarthi, Adv.

Mr. Ritesh Agrawal, AOR (SCLSC)  
 Mr. Sohel Rishabh, Adv.  
 Mr. Tushar J., Adv.

Ms. Asha Gopalan Nair, AOR

Mr. Awadhesh Kumar, Adv.  
 Ms. Nidhi, AOR (SCLSC)

Mr. Gaurav Sharma, AOR

Mr. Rameshwar Prasad Goyal, AOR

Mr. Dinesh Kumar Garg, AOR

Mr. Aaditya A. Pande, Adv.  
 Mr. Chander Shekhar Ashri, AOR (SCLSC)

Ms. Shalu Sharma, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The High Court raised the following question; that the presence of cannabinols including tetrahydrocannabinols and the characteristic cystolithic hair of cannabis plant which are also present in *ganja* and its mixture may not fall under definition of "*charas*" as defined in Section 2(iii)(b) and (c) so as to warrant

the conviction under Section 20(b)(i)(c) of the NDPS Act.

State of Himachal Pradesh is represented through Mr. Abhinav Mukerjee, Advocate, but the respondent remains unrepresented in Criminal Appeal NO.912 of 2010.

Having regard to the issue involved we deem it appropriate to appoint Mr. A.K. Sanghi, learned senior counsel, as amicus to assist the Court in Criminal Appeal NO.912 of 2010. The Registry is directed to furnish a complete set of paper book and other connected papers to Mr. A.K. Sanghi, learned senior counsel.

Post all the matters on Wednesday, the 12<sup>th</sup> September, 2018.

Having regard to the fact that the sole respondent in Cr1.Appeal No.2207 of 2010 is also not represented by any advocate, Supreme Court Legal Services Committee shall nominate an advocate, with substantial standing at the Bar, to represent the said respondent and argue the case on behalf of the respondent.

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER