

ITEM NO.102

COURT NO.13

SECTION IIB

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 S

Criminal Appeal No(s). 2023/2009

STATE OF HARYANA

Appellant(s)

VERSUS

AVTAR SINGH

Respondent(s)

Date : 26/11/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s)

Ms. Nupur Choudhary, Adv.
Mr. Vishwa Pal Singh, Adv.

For Respondent(s)

Mr. Amit Sharma, Adv. (A.C.)

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

The Criminal Appeal is dismissed in terms of the signed order.

(VISHAL ANAND)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 2023/2009

STATE OF HARYANA

Appellant(s)

VERSUS

AVTAR SINGH

Respondent(s)

O R D E R

We have heard learned counsel appearing for the appellant - State of Haryana at length today.

We have been taken through the Judgments of the Trial Court as well as the High Court delivered in this matter.

We have also taken a note of the evidences deposited by the witnesses in this matter. According to us, the High Court after analyzing the evidences has correctly assessed the same and came to the right conclusion holding that the prosecution has failed to establish the element of possession regarding two bags of poppy husk as recovered from the jeep which was allegedly driven by the accused and thereby acquitting the accused - respondent herein.

Accordingly, we do not find any reason to interfere with the impugned Judgment and Order dated 24-07-2007 so passed by the High Court of Punjab & Haryana at Chandigarh.

In view of that, we find no merit in the appeal filed by the appellant - State of Haryana.

Accordingly, the Criminal Appeal is dismissed.

However, we must express our gratitude to Mr. Amit Sharma, learned *Amicus Curiae* who was appointed by us and appearing on behalf of the sole respondent - accused and helped us to come to such a conclusion.

.....J
(PINA KI CHANDRA GHOSE)

.....J
(R.K. AGRAWAL)

NEW DELHI;
26TH NOVEMBER, 2015.

