

separate entities - Flowering and fruiting tops of cannabis plant are ganja but that does not mean that a plant can be treated to be a cannabis plant only when it bears flowering and fruiting tops. (RAJASTHAN HIGH COURT, PRASHANT KUMAR AGARWAL, J., Date of Decision/26.11.2015). (Ramratan Vs State of Rajasthan)

2016(3) Criminal Court Cases 0203 : 2016(1) Criminal Law Reporter 0027 : 2016(1) Rajasthan Criminal Cases 0025 : 2016(1) Rajasthan Law Weekly 0554 : 2016(2) Weekly Law Notes 0232 : 2016(2) Western Law Cases 0230 : LawMirror.com File Number 44418

SC **Ss.2(viia), 2(xxiiiia)** - Challenge to Notifications 2009 and 2001 - Notifications issued in exercise of powers conferred by Ss.2(viia), 2(xxiiiia) of the Act - It cannot be said that said Notifications are ultra vires to Scheme and relevant provisions of NDPS Act - Challenge to said Notifications rejected. (SUPREME COURT OF INDIA, ARUN MISHRA, INDIRA BANERJEE AND M.R.SHAH, JJ., Date of Decision/22.04.2020). (Hira Singh & Anr. Vs Union of India & Anr.)

2020(3) Criminal Court Cases 0228 : 2020(2) Apex Court J 0056 : 2020 AIR - Supreme Court 3255 : 2020(112) Allahabad Criminal Cases 0817 : 2020(2) Andhra Law Decisions - Criminal 0635 : 2020(2) Andhra Law Times - Criminal 0195 : 2020(2) Andhra Legal Decisions - Criminal 0635 : 2020(2) Crimes 0119 : 2020 Criminal Law Journal 3677 : 2020 Criminal Law Reporter 0497 : 2020(3) Himachal Law Reporter 1729 : 2020(3) Indian Law Reports - Kerala 0085 : 2020(3) Jabalpur Law Journal 0156 : 2020(3) Jabalpur Law Journals 0156 : 2020(3) Jammu And Kashmir Judgments 0058 : 2020(2) Jharkhand Law Journal Reports 0330 : 2020(4) Judgment Today 0462 : 2020(2) Kerala High Court Cases 0551 : 2020(2) Kerala Law Journal 0843 : 2020(4) Kerala Law Times 0389 : 2020(2) KHC 0551 : 2020(3) Law Herald (punjab) - Supreme Court Weekly 1761 : 2020(2) Madras Law Journal - Criminal 0628 : 2020(3) Patna Law Journal Reports 0268 : 2020(2) Recent Criminal Reports 0523 : 2020(6) Scale 0603 : 2021(1) Uc 0301 : LawMirror.com File Number 69644

SC **Ss.2(viia), 2(xxiiiia)** - Entry No.239 and Note 2 of notification dated 19.10.2001, S.21 - Contraband - Determination of small or commercial quantity - Seizure of mixture of NDPS with one or more neutral substances - Quantity of neutral substance is not to be excluded and to be taken into consideration along with actual content of weight of offending drug, while determining "small or commercial quantity" of the Narcotic Drugs or Psychotropic Substances. (SUPREME COURT OF INDIA, ARUN MISHRA, INDIRA BANERJEE AND M.R.SHAH, JJ., Date of Decision/22.04.2020). (Hira Singh & Anr. Vs Union of India & Anr.)

2020(3) Criminal Court Cases 0228 : 2020(2) Apex Court J 0056 : 2020 AIR - Supreme Court 3255 : 2020(112) Allahabad Criminal Cases 0817 : 2020(2) Andhra Law Decisions - Criminal 0635 : 2020(2) Andhra Law Times

Ss.8, 18, 29 - Recovery of 7 kg opium - Nothing on record to satisfy as to what were specimen seal impressions which were allegedly forwarded by I.O to FSL along with samples of contraband - Link evidence pertaining to sanctity of sample is breached - Accused rightly acquitted. (RAJASTHAN HIGH COURT, SANDEEP MEHTA, J., Date of Decision/08.01.2020). (State Vs Baxshish Singh & Anr.)

2020(2) Criminal Court Cases 0707 : 2020(1) Criminal Law Reporter 0345 : 2020(4) Rajasthan Law Weekly 2774 : 2020(1) Weekly Law Notes 0329 : LawMirror.com File Number 68418

SC Ss.8, 18, 29 - Recovery of 7.2 kg opium - Bulk quantities of contraband not exhibited to witnesses at the time of adducing evidence - Prosecution story rightly disbelieved - Acquittal by High Court calls for no interference. (SUPREME COURT OF INDIA, N.V.RAMANA AND S.ABDUL NAZEER, JJ., Date of Decision/31.01.2018). (Union of India Vs Jarooparam)

2018(3) Criminal Court Cases 0461 : 2018(2) Apex Court J 0340 : 2018 AIR - Supreme Court 1927 : 2018(185) All India Cases 0065 : 2018 All Maharashtra Supreme Court Cases Reporter - Criminal 1017 : 2018(1) Andhra Legal Decisions - Criminal 0900 : 2018(2) Calcutta Criminal Law Reporter 0097 : 2018(3) Crimes 0140 : 2018 Criminal Law Journal 2415 : 2018(1) Drugs Cases (narcotics) 0336 : 2018(1) Drugs Cases (narcotics) 0751 : 2018(360) Excise Law Times 0196 : 2019(1) Hyderabad Law Times - Criminal 0144 : 2018(2) Jammu And Kashmir Judgments 0157 : 2018(2) Journal Of Criminal Cases 0078 : 2018(4) Judgment Today 0237 : 2018(5) Maharashtra Law Journal - Criminal 0001 : 2018(70) Orissa Criminal Reports 0303 : 2018(2) Orissa Judicial Reports 0087 : 2019(1) Rajasthan Criminal Cases 0436 : 2018(3) Scale 0628 : 2018(4) Supreme Court Cases 0334 : 2018(2) Supreme Court Cases - Criminal 0465 : 2019(1) Supreme Court Journal 0518 : 2018(1) Supreme Court Reports 0618 : LawMirror.com File Number 53148

SC Ss.8, 18, 29 - Recovery of 7.2 kg opium - Non-production of bulk quantity of opium - Would create a doubt in the mind of Court on genuineness of samples drawn - Simple argument that same had been destroyed cannot be accepted, as it is not clear that on what authority it was done - Neither application for disposal/ destruction of alleged seized bulk quantity of contraband was filed nor any order was passed by Magistrate - High Court rightly disbelieved prosecution case by arriving at conclusion that bulk quantities of contraband were not exhibited to witnesses at the time of adducing evidence - Accused acquitted. (SUPREME COURT OF INDIA, N.V.RAMANA AND S.ABDUL NAZEER, JJ., Date of Decision/31.01.2018). (Union of India Vs Jarooparam)

2018(3) Criminal Court Cases 0461 : 2018(2) Apex Court J 0340 : 2018 AIR - Supreme Court 1927 : 2018(185) All India Cases 0065 : 2018 All

R.BANUMATHI, JJ. , Date of Decision/04.11.2015). (Baldev Singh Vs State of Haryana)

2015(3) Apex Court J 0748 : 2015(3) AIR - HCR - Bombay - Criminal 0805 : 2016(158) All India Cases 0184 : 2015(156) All India Cases 0095 : 2016(1) All India Criminal Law Reporter 0016 : 2015 All Maharashtra Reports - Criminal 4967 : 2015(91) Allahabad Criminal Cases 0912 : 2016(2) Andhra Law Times - Criminal 0054 : 2016(1) Andhra Legal Decisions - Criminal 0233 : 2015(12) Apex Decisions - Supreme Court 0065 : 2015(4) Bihar Bar Council Journal 0279 : 2016(1) Bombay Cases Reporter - Criminal 0206 : 2016(1) Calcutta Law Journal 0033 : 2016(1) Chhatisgarh Law Journal 0163 : 2015(4) Crimes 0556 : 2016 Criminal Law Journal 0154 : 2015 Criminal Law Reporter 1256 : 2015(4) Current Criminal Reports 0212 : 2016(Suppl.1) Cuttak Law Times - Criminal 0292 : 2015(2) Drugs Cases (narcotics) 0001 : 2016(1) Eastern Criminal Cases 0086 : 2016(1) Jammu And Kashmir Judgments 0012 : 2016(1) Jharkhand Bar Council Journal 0077 : 2016(1) Jharkhand Law Journal Reports 0025 : 2016(1) Kerala Law Times 0022 : 2015(5) Law Herald (punjab) 3773 : 2015(4) Law Herald (punjab) - Supreme Court Weekly 3430 : 2015(4) Madras Law Journal - Criminal 0486 : 2015(3) Madras Weekly Notes - Criminal 0321 : 2015(3) Nainital Criminal Cases 0789 : 2016(63) Orissa Criminal Reports 0014 : 2016(1) Patna Law Journal Reports 0173 : 2015(3) Punjab Law Journal - Criminal 0440 : 2015 Rajasthan Criminal Cases 1140 : 2015(4) Recent Criminal Reports 1014 : 2015(12) Scale 0308 : 2016(1) Supreme Court Criminal Rulings 0024 : 2015(3) Uttaranchal Cases 2102 : LawMirror.com File Number 41864

SC **S.15** - Recovery of 13 quintals and 20 kgs poppy husk - Non-examination of independent witness - When there is satisfactory explanation for no, examination of independent witnesses, conviction can be based solely on the testimony of official witnesses if evidence of such official witnesses inspires confidence. (*SUPREME COURT OF INDIA, JAGDISH SINGH KHEHAR AND R.BANUMATHI, JJ. , Date of Decision/04.11.2015). (Baldev Singh Vs State of Haryana)*

2015(3) Apex Court J 0748 : 2015(3) AIR - HCR - Bombay - Criminal 0805 : 2016(158) All India Cases 0184 : 2015(156) All India Cases 0095 : 2016(1) All India Criminal Law Reporter 0016 : 2015 All Maharashtra Reports - Criminal 4967 : 2015(91) Allahabad Criminal Cases 0912 : 2016(2) Andhra Law Times - Criminal 0054 : 2016(1) Andhra Legal Decisions - Criminal 0233 : 2015(12) Apex Decisions - Supreme Court 0065 : 2015(4) Bihar Bar Council Journal 0279 : 2016(1) Bombay Cases Reporter - Criminal 0206 : 2016(1) Calcutta Law Journal 0033 : 2016(1) Chhatisgarh Law Journal 0163 : 2015(4) Crimes 0556 : 2016 Criminal Law Journal 0154 : 2015 Criminal Law Reporter 1256 : 2015(4) Current Criminal Reports 0212 : 2016(Suppl.1) Cuttak Law Times - Criminal 0292 : 2015(2) Drugs Cases (narcotics) 0001 : 2016(1) Eastern Criminal Cases 0086 : 2016(1) Jammu And Kashmir Judgments 0012

Reporter 0252 : 2018(2) Rajdhani Law Reporter 0207 : 2017(6) Scale 0468 : 2018(1) Supreme Court Cases 0222 : 2018(1) Supreme Court Cases - Criminal 0350 : 2018(8) Supreme Court Journal 0199 : LawMirror.com File Number 48028

SC **S.20** - Recovery of 7 kg charas - Non joining of independent witnesses - The harsher is punishment, the more is the strictness of proof required from prosecution - Failing to associate independent witnesses at the time of recovery creates a dent in the case of prosecution. (SUPREME COURT OF INDIA, PINAKI CHANDRA GHOSE AND ROHINTON FALI NARIMAN, JJ., Date of Decision/21.04.2017). (Krishan Chand Vs State of H.P.)

2017(4) Criminal Court Cases 0531 : 2017(3) Apex Court J 0208 : 2017(4) AIR - HCR - Jharkhand 0100 : 2017 AIR - Supreme Court 3751 : 2017(4) All India Criminal Law Reporter 0515 : 2017 All Maharashtra Supreme Court Cases Reporter - Criminal 1569 : 2019(107) Allahabad Criminal Cases 0688 : 2017(2) Andhra Legal Decisions - Criminal 0602 : 2017(4) Crimes 0362 : 2017 Criminal Law Reporter 0949 : 2018(2) Hyderabad Law Times - Criminal 0276 : 2017(3) Journal Of Criminal Cases 0112 : 2017(3) Madras Weekly Notes - Criminal 0186 : 2018(3) Maharashtra Law Journal - Criminal 0534 : 2017(67) Orissa Criminal Reports 1143 : 2018(3) Patna Criminal Cases Reporter 0252 : 2018(2) Rajdhani Law Reporter 0207 : 2017(6) Scale 0468 : 2018(1) Supreme Court Cases 0222 : 2018(1) Supreme Court Cases - Criminal 0350 : 2018(8) Supreme Court Journal 0199 : LawMirror.com File Number 48028

SC **S.20** - Recovery of 7 kg charas - Non-joining of independent witnesses - Testimony of police officials must be scrutinized with greater care in the absence of independent witnesses, particularly when police witnesses contradict themselves on the issue as to in whose hand writing the seizure memo, arrest memo, consent memo and NCB form were written and evidence adduced by prosecution is not reliable. (SUPREME COURT OF INDIA, PINAKI CHANDRA GHOSE AND ROHINTON FALI NARIMAN, JJ., Date of Decision/21.04.2017). (Krishan Chand Vs State of H.P.)

2017(4) Criminal Court Cases 0531 : 2017(3) Apex Court J 0208 : 2017(4) AIR - HCR - Jharkhand 0100 : 2017 AIR - Supreme Court 3751 : 2017(4) All India Criminal Law Reporter 0515 : 2017 All Maharashtra Supreme Court Cases Reporter - Criminal 1569 : 2019(107) Allahabad Criminal Cases 0688 : 2017(2) Andhra Legal Decisions - Criminal 0602 : 2017(4) Crimes 0362 : 2017 Criminal Law Reporter 0949 : 2018(2) Hyderabad Law Times - Criminal 0276 : 2017(3) Journal Of Criminal Cases 0112 : 2017(3) Madras Weekly Notes - Criminal 0186 : 2018(3) Maharashtra Law Journal - Criminal 0534 : 2017(67) Orissa Criminal Reports 1143 : 2018(3) Patna Criminal Cases Reporter 0252 : 2018(2) Rajdhani Law Reporter 0207 : 2017(6) Scale 0468

4255 : 2018 AIR - Supreme Court - Weekly 4255 : 2019(193) All India Cases 0111 : 2018(190) All India Cases 0035 : 2019(1) All India Criminal Law Reporter 0480 : 2019(1) All India Criminal Law Reporter 0173 : 2018 All Maharashtra Supreme Court Cases Reporter - Criminal 1554 : 2019(106) Allahabad Criminal Cases 0303 : 2018(105) Allahabad Criminal Cases 0279 : 2018(2) Andhra Law Decisions - Criminal 0892 : 2018(3) Andhra Law Times - Criminal 0144 : 2018(4) Bombay Cases Reporter - Criminal 0005 : 2018(4) Calcutta Criminal Law Reporter 0075 : 2018(4) Chhatisgarh Law Journal 0072 : 2018(4) Crimes 0147 : 2018 Criminal Law Reporter 0934 : 2018(4) East Criminal Cases 0119 : 2018(3) Jammu And Kashmir Judgments 0074 : 2018(4) Jharkhand Bar Council Journal 0175 : 2018(4) Jharkhand Law Journal Reports 0051 : 2018(8) Judgment Today 0425 : 2018(4) Law Herald (punjab) - Supreme Court Weekly 3246 : 2018(4) Madras Law Journal - Criminal 0338 : 2018(72) Orissa Criminal Reports 0437 : 2018(3) Patna Criminal Cases Reporter 0025 : 2018(4) Patna Law Journal Reports 0089 : 2018(4) Rajasthan Criminal Cases 1377 : 2018(10) Scale 0730 : 2018(9) Supreme Court Cases 0708 : 2019(1) Supreme Court Cases - Criminal 0371 : 2018(2) Supreme Court Criminal Rulings 1213 : LawMirror.com File Number 57065

SC **S.50** - Recovery of 1.5 kg charas - Search and seizure - PW2 and PW4 on different occasion apprised accused of his legal right to be searched either in presence of a gazetted officer or a Magistrate - Options given by both PW2 and PW4 were unambiguous - Merely because the appellant was given an option of searching PW2 before the latter conducted his search, would not vitiate search - There was thus, strict compliance of requirements of S.50 of the Act - Accused rightly convicted. (SUPREME COURT OF INDIA, DIPAK MISRA, CJI., DR.DHANANJAYA Y.CHANDRACHUD AND INDIRA BANERJEE, JJ., Date of Decision/ 05.09.2018). (Sk.Raju @ Abdul Haque @ Jagga Vs State of West Bengal)

2018(Suppl.) Criminal Court Cases 0001 : 2018 AIR - Supreme Court 4255 : 2018 AIR - Supreme Court - Weekly 4255 : 2019(193) All India Cases 0111 : 2018(190) All India Cases 0035 : 2019(1) All India Criminal Law Reporter 0480 : 2019(1) All India Criminal Law Reporter 0173 : 2018 All Maharashtra Supreme Court Cases Reporter - Criminal 1554 : 2019(106) Allahabad Criminal Cases 0303 : 2018(105) Allahabad Criminal Cases 0279 : 2018(2) Andhra Law Decisions - Criminal 0892 : 2018(3) Andhra Law Times - Criminal 0144 : 2018(4) Bombay Cases Reporter - Criminal 0005 : 2018(4) Calcutta Criminal Law Reporter 0075 : 2018(4) Chhatisgarh Law Journal 0072 : 2018(4) Crimes 0147 : 2018 Criminal Law Reporter 0934 : 2018(4) East Criminal Cases 0119 : 2018(3) Jammu And Kashmir Judgments 0074 : 2018(4) Jharkhand Bar Council Journal 0175 : 2018(4) Jharkhand Law Journal Reports 0051 : 2018(8) Judgment Today 0425 : 2018(4) Law Herald (punjab) - Supreme Court Weekly 3246 : 2018(4) Madras Law Journal -