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Legalisation of Marijuana

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ABSTRACT

The legalization of marijuana has been a contentious issue after the enforcement of Narcotic Drugs and Psychotropic Substances Act, 1985 illegal sale and possession marijuana all over India. Although it is used in the medical field, no positive action has been taken. In the emergence of recent events in which two states of America voted to legalize the use of entertainment marijuana, a wave of open thinking has risen in the country. This paper intends to draw a strong analysis of marijuana use followed by a global comparative study which clearly indicates whether India should allow marijuana or not. The purpose of this study is to better understand the various words related to marijuana, why and how it is used it was also banned why the ban should be lifted.

Keywords: - Drugs, drugs, marijuana, weeds, legalization.

I. INTRODUCTION

NDPS: The Narcotic Drugs and Psychotropic Substances Act, 1985, commonly referred to as NDPS law, has become the law of the Indian Parliament that prohibits a person from providing, selling, buying, distributing, storing, and using any drug substance or method.

Marijuana: also called weed, pot, pot, grass, twig, twig, Mary Jane, and many other slang words. It is a combination of green green dried flowers of Cannabis sativa. The few people who smoke weed on their hands are called joints; in pipes, water pipes (in some cases are called bong), or blunts. Marijuana can also be used to mix tea as well, especially when sold it is often incorporated into food (foods, for example, brownies, treats, or confectioners. Vaporizers are also widely used to eat marijuana. Strong forms of marijuana include sinsemilla (from specialized female plants) and concentrated structures containing high doses of marijuana ingredients, including honey hash oil, wax budder, and hard amber shatter.

Criminal Case:

Introduction of the crime, the judge looks at the evidence of choosing to say, & on the other side reasonable doubt, & the respondent did the wrong thing when asked. Foreword it is an opportunity for management to challenge the issue, in anticipation of a & binding & decision.

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and conviction of the respondent. The case always shows the defendant's power to oppose that the facts of the persecution and, in some cases, the betrayal. While both sides had done their point, the judge decides whether or not the defendant is guilty of the alleged crime (s) as a party. Officials and officials of the NDPS Subject to the provisions of this Act, the Central Government may take all such measures as important or beneficial for the purpose of preventing and combating drug abuse psychotropic substances and illegal trafficking These measures include all or some of the following problems, specifications

1. To co-ordinate the work of various officials, Government Governments and various experts under this Act, or under any other current law governing the requirement of provisions of this Act.
2. Commitment under international agreements.
3. Assist relevant experts in distant nations and international organizations involved in the end The purpose is to promote coordination and to prevent and suppress illegal narcotic traffic drugs and psychotropic substances.
4. Various issues such as Central Government see them as important or easy to ascertain with regard to the effective implementation of the provisions of this Act to prevent and combat harassment drug and psychotropic drugs and trafficking in it.
5. The Central Government may likewise apply, which is published in the Official Gazette the position or continuous professional program in words or words as may be indicated in it an application for the exercise of the powers and powers of the Central Government under this Act and by taking action in relation to issues such as those that may be used above application, and is subject to the control and control of the Central Government and arrangements for such an application, those powers or experts may use the power and take the steps indicated in the application such as the position or specialists specified this Act makes those forces and takes such measures.

II. BAIL IN NDPS ACT

Temporary release of a convicted felon is a bail application, often conditional that a sum of money is included to ensure their presence in court. Section 37 of the Bail-in NDPS Act states that no person convicted of a crime may be punished cases under section 19 or section 24 or section 27A, and cases involving Prices will be released on bail or on his bond. The Supreme Court has granted bail to a person in a case filed under Narcotic Drugs as well Psychotropic Substances Act in view of the unusual times of the COVID epidemic-19.2 Three judges A

bench of Judges S K Kaul, Aniruddha Bose and Krishna Murari noted that the high court has passed bail orders to the strongest prisons operating in sentencing cases up to seven years. The high court said we had met with unusual times there COVID status is full. Therefore, the whole case under the Act is recognized under section 37 of the NDPS Act, which guarantees that the police detain the perpetrator without permission.

However at this stage according to the Criminal Procedure Code, 1973, cases under the system are included in Part II of Schedule I to sections 8A, 26,27,32,46,47,58 and 59 (1) and related cases in small quantities it would have been incomprehensible.

At the highlight of the System v. State of kerala

Kerala High Court has noted that the term & Not Found & refers to section 37 of the NDPS Act, however, does not state that all charges under the Act are not available. A reading of Section 37 without a title should clearly show that there is no specialty the provision of a Section 37 body which renders the case invalid under Section 20 (b) (ii) (A). The provisions of Cr. P.C. the system is not modified by any of the specific provisions of Section 37. The Section 37 Tribunal does not say whether the Act is available or not as a criminal offense under the Act Narcotic drugs and Psychotropic substances. Therefore, there is no trace of doubt in the passage of language used in the body of the Section 37 a case under Section 20 (b) (ii) (A) is a criminal offense. Educated Public Prosecutor argues that the Article 37 subheading clearly shows that all cases are subject to Drugs and the Psychotropic Substances Act is recognizable and available.

Endabeni Ka Shafi Mohammed V. State of Rajasthan

The Rajasthan court has ruled that by considering section 37 of the NDPS Act it will make it clear that subsection (1) of clause (b) of subsection (1) 37 will apply only in relation to the case below section 19 or 24 or 27A and section cases involving a commercial majority. The court there was a view to that in the event of such cases at least two cases should be kept in mind in time for processing the bail application under section 439 of the C.rP.C. 1973.

In isizulu v. Zoliana

In a case involving the seizure of 130 grams of heroin, the Hon'ble Guwahati High Court has been granted bail by an additional District Magistrate. Hon'ble Guwahati High Court was a member of the view that this case is only available to a special court under any act that precludes any another court, such as the Additional Regional Magistrate, has the power to try or grant bail he has been convicted.

III. LEGAL APPLICATION OF MARIJUANA

Since 1961, India has been fighting American pressure to keep marijuana legal. The US has been seeking international law to ban all things, both hard and soft, since 1961. Since Ganja, charas and bhang were a way of life in India, a force that was opposed by the authorities. But American society struggled with certain drug problems in the early 80s and emotionally revolts against hippie generation overpowering So, in 1985, Rajiv Gandhi's government arrested under pressure and imposed a law called Narcotic Drugs & Psychotropic Substances (NDPS) The law.

Government revenue is one of the main reasons for the high levels of marijuana is illegal in India and the ban is not reported to have been raised. By indulging in alcohol and tobacco companies in our country run their own company. This cartel uses its influence to not allow it to be safe again cheap competition enters the market because you will definitely lose. In addition, the government marijuana tax will definitely increase your income because it is much cheaper than alcohol.

All of this, however, did not stop the prosperity of the illegal marijuana industry. More than 60,000 A kg of illegal production is available only on Himachal, of which only 1% are seized. But a ban on pressure and not raising it because of the low tax rate are not the only reasons for doing so need to legalize it, Marijuana has many health benefits too. Many hemp proponents say why this practice is so widespread (or not amended) and why it is cannabis illegal in India, especially after we now know of its many benefits that are supported by science today. Marijuana still banned in India despite being shown to be effective as an inexpensive anti-cancer drug, has anti-depressant and anti-depressant properties and is even more dangerous than alcohol or cigarettes.

It is a chemical that affects the brain, making it work better without giving it up with it THC with analgesic properties. Approval of marijuana has become a hot topic in the end a few years. Recently it seems that drug policy and the war on drugs have been in the news much. Many people believe that marijuana must be legalized before it can reach its full potential there are many benefits of marijuana that one should be aware of before promoting legalization of marijuana.

1. Relief from chronic pain

In addition, the state marijuana tax will inevitably increase revenue because there is so much cheaper than alcohol. All of this, however, did not stop the prosperity of illegal marijuana sector. More than 60,000 kg of illegal production is available in Himachal alone, of which only

1 percentage taken.

2. Improves lung capacity

Unlike cigarette smoking, when you smoke marijuana in the form of marijuana your lungs are empty injured. In fact, research has shown that marijuana actually helps to increase lung capacity it can cause any damage to it.

3. Help to lose weight

If you look around, you will see that an active cannabis user is usually not overweight. That because cannabis is linked to helping your body regulate insulin while controlling caloric intake well.

4. Control and prevent diabetes

It is only logical, with its effect on insulin, that marijuana can help control and prevent diabetes. Marijuana has been linked to studies conducted by the American Alliance for Medical Cannabis (AAMC) to control blood sugar, lower blood pressure and increase blood circulation.

5. It helps to treat depression

With the exception of many people who have ever seen it, anxiety is common. With cannabis, from the endo native cannabinoid can help strengthen emotions that can reduce stress.

6. Reduce anxiety

While Cannabis is widely known to cause anxiety, there is a way around that. Taken a controlled dose and in the right way, marijuana can help reduce the anxiety and calmness of users down.

7. Slow progression of Alzheimer's disease

Alzheimer's disease is one of the most common causes of dementia. As we grow older, understanding corruption is almost inevitable. The endocannabinoid Cannabis contains anti-inflammatory fighting inflammation of the brain that leads to Alzheimer's disease.

8. Reduce the side effects associated with hepatitis C and increase the effectiveness of treatment
Treatment for Hepatitis C has many side effects, including nausea, fatigue, depression, and constipation.

9. Muscle Pain. This may stay with some people with hepatitis C for a while. Marijuana can to help reduce the symptoms caused by medications, while at the same time making it worse you have succeeded.

IV. HISTORY OF TRIAL

Although the common law societies have adopted a variety of ethical practices and criminal procedures, a large part of these nations largely follow the so-called enemy a process, in which charges are committed against a defendant, disputed by the defendant, and controlled with a non-judgmental trial - judge or magistrate - who is often required to release a dispute if there is a reasonable uncertainty about the suspect. English criminal process, hiring the disputed method, is an example of the court procedures of many common countries developed (although different laws emerged independently in Scotland). In all for years the difference between the criminal courts of England and those of other nations based on the law based on extended views, but the same basic principle still applies the last nations. Multi-country court structures of enacted law provide at least two arrangements for the process of enemies to deal with actual and very small cases and a reorganization of strategic hearings against the choice of primary courts. The complete criminal case usually consists of six main sections, each of which is described above details below:

1. To elect a Judge

One of the first steps in any preconceived notion of crime is to choose a judge. At the time of the election of judges, designated judge (and usually the plaintiff and the defendant through their attorneys) will ask a pool of people who are likely to listen legally and especially on issues related to specific case - including the inclination of each idea or beneficial association that may be related on the side. The appointed judge may pardon any potential member of the judiciary at this time, if applicable their response to the case. Likewise, in the meantime, the defense and prosecutors may exclude a certain number of judges. & Authorized tests can be used to disable server with any unbiased definition. After Juror's & Answer & yes & when asked if he feels he should & prescribe & medication should authorized, prosecution may block the cause in the pool of ministers e drug ownership case, as it has shown a tendency to fight the rules of the seats. In the event that a police officer was the victim of an attack, the security forces could misuse it as well an absurd attempt to remove Juror & B& from the judge's pool after he was found to be a judge The member has a younger brother who is a police officer. Or Juror & B& firmly says he can if he does not remain intentional in his investigation of the case, the lawyer may pardon him without announcing any reasons to do so.

2. Opening Statements

When a judge is elected, the primary & exchange & initially comes as the first two definitions one from a prosecutor on behalf of the government, and the other from the legal profession.

No. witnesses testify at this time, and no physical evidence is commonly used. As the prosecutor has a & burden of evidence & in relation to the accused defendant, The original description of the investigator is given first and often there are more details than that of the defendants. In many cases, self-defense can wait until the government decides to complete it case before making an opening statement in spite of when the opening announcements were made, on time those announcements:

Prosecutors present the real truth of the case, from the prosecutor's point of view, and then leave judges about what the government will try to do - what the defendant did, how, and why. The defense gave the judge its true meaning, and they made a key to the opposition evidence of government and to present any legal defense in the case against him.

3. Testimony of the Testimony and Examination of the Cross At the end of any pre-crime period is what is often referred to as the "main case in the category each side giving its own important evidence to the judges. In its original form, the legislature presents evidence that seeks to convince the judges without a doubt the respondent has done wrong. At this point there eyewitnesses and experts were called in by the prosecutor to testify. Physical evidence, such as photographs, records, and medical reports, are also submitted by the prosecutor.

4. Closing Debates

The closure debate, similar to the opening statement, gives the government and the defense and the opportunity to "summarize" the prosecutor, repeating the facts in a way that suits them positions. It is the last chance for the parties to speak to the judge before the negotiations, therefore prosecutor tries to show closure of arguments that evidence allows a judge to find the defendant is guilty. The defense force, moreover, is trying to find that the state is tired its & burden of proof& because so that the judge could find a person innocent.

5. Order of Judges

While both sides of the court had the opportunity to present their evidence and make a final statement. In a statement, the training of judges is the next step in looking at a decision – a process that a judge provides the judge collects the rules of law that he will use to determine whether the defendant is right or wrong you are guilty.

Depending on the criminal charges and the facts presented during the trial, the judge may decide what legal principles should apply in a defendant's case. Sometimes, with a single lead reasons from persecution and protection, this process is possible. To get to those decisions, the judge then instructs the judge on the agreed legal criteria, including the judgments that the judge will have to make. According to the evidence presented at the trial, the judge also defines

key terms, such as & case without doubt & and decides either cases the judges can consider.

6. Release of Judge and Decision

After accepting the guidance of the designated officer, the members of the jury as the collection looks at the case through a process called & consideration & trying to agree on it whether the defendant is facing a charge or not. The idea is a large open door for judge to examine the case, an effective procedure that can last from a few hours to a minimum while. When the judge reached the decision, the presiding judge advised the appointed officer, too the judge usually announces the decision in open court.

V. CONCLUSION

The legalization of marijuana will save time and effort by our government on small doses like marijuana, which can be used effectively in very dangerous and dangerous medicines such as heroin, cocaine, etc. Research shows that crime and war often occur as a result fierce and violent anger against the people. With the help of marijuana, they can be quiet again A concussion that will reduce the incidence of violence. This comes as a helping hand government in times of violence and similar disruptions in the nation (such as acts of terrorism, religious explosions, etc.). Also, with the availability of powerful drugs, such as marijuana, The tendency to overindulge in harmful drugs will be greatly reduced. Economic speech Also, legalizing marijuana will serve as an additional source of revenue for new distributors and their suppliers. Also, the trade regulation could generate huge tax revenue that could free India from debt WHO and UN. Studies around the world show that the use of marijuana in moderation is less harmful than it is tobacco or alcohol, it is unreasonable to support the ban on its use of entertainment. Of course, Excessive use of marijuana can be harmful. But the same is true of drinking alcohol - a ban which is seen, rightly, as ineffective. If tobacco and alcohol can be sold over the counter too consumers are expected to use their understanding in relation to their use, there is no reason to do the same policy cannot be accepted for marijuana. Besides, the benefits of medical marijuana have greatly increased allowed, which reinforces its evidence as a minor drug. Legalizing marijuana will take in line with the illuminated drug policy, it will stop the spread of harmful alcohol as well led to modern India.
