

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-10978 of 2015 (O&M)
Date of Decision: 20.4.2015

Ranjit Singh @ Rana

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Mikhail Kad, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner in case F.I.R. No.159 dated 27.10.2014 under Section 22 of N.D.P.S Act registered at Police Station, Sarhali, District Tarn Taran.

Learned counsel for the parties have been heard.

As per prosecution version an alleged recovery of 190 gms. Of intoxicating powder was effected from the person of the petitioner.

Learned State counsel upon instructions from ASI Balbir Singh would concede that till date the F.S.L. Report has not been received.

As such, without the report of the Chemical Examiner the question as to whether an offence under the N.D.P.S Act is made out or not would still be open.

The petitioner has been in custody since 27.10.2014. He is stated to be not involved in any other criminal proceedings under the N.D.P.S Act.

Under such peculiar circumstances, petitioner is held entitled to the concession of regular bail. Petition, accordingly, is allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M.,
Tarn Taran.

It is, however, observed that, if, upon the F.S.L. Report being
furnished and the alleged recovery made from the petitioner makes out an
offence under the N.D.P.S Act, he shall be taken into custody forthwith.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 20, 2015
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