

***IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH***

CRM No.M-24624 of 2015 (O&M)

Date of Decision: 05.08.2015.

Inderjit Singh @ Bulla

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. D.S. Pheruman, Advocate for the petitioner.

Mr. Rupam Bansal, DAG, Punjab.

....

TEJINDER SINGH DHINDSA.J.

Petitioner seeks the benefit of regular bail in case FIR No.335, dated 23.11.2014, under Sections 21/22/25/61/85 of the NDPS Act and Section 420 IPC and Sections 42/52-A of the Prisoners Act, registered at Police Station Cantonment, District Amritsar.

Counsel for the parties have been heard at length.

As per prosecution version, the present petitioner had made an attempt to supply intoxicant tablets to Gurjit Singh i.e. son of the present petitioner, who was an under trial and lodged in Central Jail, Amritsar.

Petitioner has been in custody since 24.04.2015. Learned State counsel upon instructions from ASI Surinder Kumar would apprise the Court that till date report of the chemical examiner has not been received.

As such, without the report of the chemical examiner, the question as to whether offence under the NDPS Act is made out or not would still be open.

Under such circumstances, petitioner is held entitled to the

concession of interim bail. In taking such view, this Court would draw support from the Division Bench judgment of this Court in **Inderjeet Singh @ Laddi and others v. State of Punjab, 2014 (3) RCR (Criminal) 953.**

Petitioner be enlarged on interim bail subject to the satisfaction of trial Court/Duty Magistrate, Amritsar.

It is, however, observed that if upon FSL report being furnished and the alleged recovery making out an offence under the NDPS Act, petitioner shall be taken into custody forthwith.

Disposed of.

05.08.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**