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

CRM-M-25882 of 2015

Date of Decision: August 31, 2015.

Pipal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Manpreet Singh, Advocate for
Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J.

Petitioner has filed this petition under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 seeking regular bail or in the alternative interim bail in FIR No.36 dated 08.05.2015, under Sections 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 ('Act' for short), registered at Police Station Mallanwala, District Ferozepur.

Learned counsel for the petitioner has submitted that as per the prosecution case, petitioner was found in possession of 100 grams of powder. Challan has already been presented in the Court. However, at this stage, there is no report of the chemical examiner that the powder allegedly recovered from the petitioner comes within the purview of the Act. Learned counsel has further submitted that the petitioner be granted interim bail till the report from the

chemical examiner is received. Learned counsel has also submitted that on receipt of chemical examiner, petitioner shall surrender before the trial Court for further necessary action.

Learned State counsel, on the other hand has opposed the petition.

Petitioner is in custody since 08.05.2015. Although, as per the prosecution case, petitioner was found in possession of 100 grams of powder, but the report of the chemical examiner is still awaited.

In these circumstances, this petition is disposed of with a direction that learned Chief Judicial Magistrate, Ferozepur shall release the petitioner on interim bail subject to its satisfaction till the receipt of the report of the chemical examiner. Petitioner shall file an undertaking that on receipt of report of the chemical examiner, he shall surrender before the trial Court for further proceedings.

**(SABINA)
JUDGE**

August 31, 2015
mahavir