

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

CRM-M No.28480 of 2015

Date of Decision:-28.08.2015

Vijay son of Gandhi.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. P.S. Sekhon, Advocate for the Petitioner.

Mr. K.S. Sidhu, DAG Punjab.

JASWANT SINGH, J (ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC on behalf of the Petitioner-Vijay in case FIR No.69 dated 17.04.2015 for offence punishable under Section 22/61/85 of the Narcotics Drugs and Psychotropic Substances Act registered with Police Station Sunam, District Sangrur.

As per the allegations in the FIR, the petitioner was apprehended being found in possession of 60 bottles of Rexcof and 60 Strips of intoxicant tablets of Carisoma i.e. Psychotropic Drugs and the quantity seized falls under commercial quantity.

Learned Counsel for the petitioner at this stage submits that the petitioner is in custody since 17.4.2015 and the report of the Chemical Examiner on the seized alleged contraband is still awaited. Thus the prayer

is for interim bail.

Learned State Counsel on instructions from ASI Paramjit Singh concedes that the report of FSL is yet to be received inspite of the reminders. In view of the absence of the report, the petitioner would be entitled for grant of interim bail till the report is received.

Resultantly, the petition is partly allowed and the Illaqa Magistrate/CJM, Sangrur is directed to release the petitioner on interim bail to its satisfaction till the receipt of the report of the Chemical Examiner, Mohali. Petitioner shall also file his undertaking that on receipt of the report against him, he will immediately surrender before the same court. The investigating agency shall also take steps, if required to take the petitioner in judicial custody.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

August 28, 2015
Vinay