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

**CRM-M-29004 of 2015**

**Date of Decision: September 02, 2015.**

Jatinderpal Singh @ Lally

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE SABINA**

**Present:** Mr. D.S. Sandhu, Advocate  
for the petitioner.

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

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**SABINA, J.**

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.40 dated 06.04.2015, under Sections 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 ('Act' for short), registered at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner has submitted that as per the prosecution case, petitioner was found in possession of 180 grams of powder. Petitioner is in custody since 06.04.2015. 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 06.04.2015. Although, as per the prosecution case, petitioner was found in possession of 180 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, Jalandhar 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**

**September 02, 2015**  
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