

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

CRM-M No.29569 of 2015

Date of Decision:-17.11.2015

Baksho.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. R.K. Dadwal, Advocate for the Petitioner.

Mr. R.S. Randhawa, Addl. AG Punjab along with
ASI Ashok Kumar.

JASWANT SINGH, J (ORAL)

Prayer is for extension of interim bail already granted vide order dated 12.11.2014 by the learned Special Judge, Hoshiarpur in case FIR No.113 dated 08.09.2014 for offences punishable under Sections 22/61/85 of NDPS Act registered with Police Station Garhshankar, District Hoshiarpur.

It is submitted that the recovery of intoxicated powder which upon the receipt of the Chemical Examiner report contains a 3.12% of salt, which amounts to Psychotropic Substance being commercial in nature.

It in *inter alia* contended that upto 50 grams the seized contraband amounts to a non commercial quantity and the contraband being marginal higher than that coupled with the fact that there is no other case

pending against the present petition prays for extension of bail.

Counsel for the parties are agreed that interim bail was granted and extended awaiting the report of the Chemical Examiner regarding the seized intoxicating powder, it is also agreed that the report has since been received which shows that 55 grams of intoxicant powder recovered from the petitioner contains 3.12% of Diphenoxylate Hydrochloride which amounts to commercial quantity. It is also agreed that the challan has also been presented.

In view of the above, no case for extension of bail is made out. Petitioner is directed to surrender himself before the learned trial Court on or before 19.11.2015.

Disposed of.

**(JASWANT SINGH)
JUDGE**

November 17, 2015
Vinay