

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

Criminal Misc. M- No. 31414 of 2014 (O&M)

Date of decision : 23.02.2015

Gurditt Singh @ Panchhi

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Kushaldeep S. Sandhu, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab

LISA GILL, J.

Learned counsel for the petitioner prays for bail pending trial in FIR No. 3 dated 07.01.2014 registered under Sections 22/61/85 of NDPS Act at Police Station Shimlapuri, District Ludhiana.

As per the prosecution version, 15 bottles of Rexcoff 100ml were recovered from the tool box of the tempo three wheeler. Petitioner was driving this tempo. The keys of tool box were given by the petitioner on which 15 bottles of Rexcoff were recovered. 120 capsules each of spasma proxyvon were recovered from Deepak and Raman Kumar co-accused on their personal search.

Learned counsel for the petitioner submits that the petitioner has been in custody since 07.01.2014. It had been submitted on an earlier occasion while placing reliance on Division Bench judgment of this Court in **Inderjit Singh @ Laddi versus State of Punjab 2014 (3) RCR (Criminal) 953** that in case the

report of the Chemical Examiner is not submitted, the accused is entitled to be released on interim bail.

Learned counsel for the State, on instructions from Avtar Singh, submits that the report of Chemical Examiner has since been submitted. Out of 14 prosecution witnesses, two have been examined. The matter is fixed before the trial Court today itself. Admittedly, it is a commercial quantity of narcotics which has been recovered. Contention of learned counsel for the petitioner that the co-accused Deepak has since been granted concession of bail by the trial Court can be of no avail as the perusal of the said order shows that on that date, report of the Chemical Examiner had not been submitted.

In view of the above, I find no ground to allow concession of bail to the petitioner.

Dismissed.

February 23, 2015
rts

(LISA GILL)
JUDGE