

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

CRM-M No.34287 of 2015

Date of Decision:-13.10.2015

Surinder Malhotra @ Mama.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Veneet Sharma, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASWANT SINGH, J (ORAL)

Prayer is for grant of bail under Section 167(2) Cr.PC on behalf of the Petitioner-Surinder Malhotra @ Mama in case FIR No.3 dated 07.01.2015 for offences punishable under Sections 21 & 29 of the Narcotics Drugs and Psychotropic Substances Act and Section 25 of the Arms Act registered with Police Station Dhilwan, District Kapurthala.

As per the allegations, the petitioner along with his co-accused Amarjit Singh @ Kala were apprehended on 07.01.2015 with possession of 500 grams of Heroine, further possession of unlicensed Pistol along with 32 live Bullets is attributed to the co-accused Amarjit Singh @ Kala whereas a sum of Rs.1.5 lacs in cash is allegedly recovered from the person of the petitioner.

It is not in dispute that the challan within 180 days was not

presented and the application filed before the trial Court seeking bail by default under Section 167(2) Cr.PC was got dismissed as withdrawn.

Learned Counsel for the petitioner submits that in similar circumstances this Court has already vide order dated 7.9.2015 (**P-3**) partly allowed the petition of the aforesaid co-accused Amarjit Singh @ Kala and directed his release on interim bail till the receipt of the Chemical Examiner Report.

Learned State Counsel on instructions from ASI Jagga Singh does not refute the aforesaid contention.

In view of the aforesaid agreed stand, present petition is allowed in the same terms as in order dated 7.9.2015 (**P-3**). Necessary relief to follow.

Disposed of.

(JASWANT SINGH)
JUDGE

October 13, 2015
Vinay