IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. M- No. 3826 of 2015 (O&M)

201 Date of decision : 25.02.2015

Amit alias Jatt .....Petitioner

Versus

State of Punjab ....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Varun Sharma, DAG, Punjab

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LISA GILL, J.

The petitioner prays for grant of regular/interim bail in FIR No.160 dated 28.10.2014 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bhargo Camp, Jalandhar on the ground that the chemical Examiner Report has not been submitted till date. It is submitted that in view of the Division Bench Judgment of this Court dated 30.01.2014 in ***Inderjit Singh @ Laddi versus State of Punjab 2014 (3) RCR (Criminal) 953,*** the petitioner is entitled to interim bail.

As per prosecution version, the petitioner was found to be in illegal possession of intoxicant powder weighing 110 grams. The Chemical Examiner's report is awaited. It has been held by the Division Bench in ***Inderjit Singh @ Laddi's*** case (supra) that the Court can consider grant of interim bail to the accused in case unnecessary delay is being caused in the trial due to

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non presentation of the Chemical Examiners report. However, it is relevant to note that in this case even the statutory period of 180 days, as provided under the Narcotic Drugs and Psychotropic Substances Act, 1985, for presentation of the report under Section 173 Cr.P.C. has not elapsed.

Therefore, it cannot be said at this stage that there is unnecessary delay on the part of the prosecution. In this view of the matter, it is not considered just and expedient to grant regular/interim bail to the petitioner on this ground.

Dismissed as this stage.

February 25, 2015 (LISA GILL)
rts JUDGE

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