

209

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

CRM-M-40148 of 2015

Date of Decision: December 04, 2015.

Gurbir Singh @ Gora

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. D.S. Pheruman, Advocate
for the petitioner.

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

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.87 dated 14.08.2015, under Sections 15, 18, 21, 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 ('Act' for short), Section 25 of Arms Act, 1959 and Sections 489-A, 489-B and 489-C of Indian Penal Code, 1860, registered at Police Station Jhabal, District Tarn Taran.

Heard.

As per the prosecution case, petitioner was found in possession of 20 grams of intoxicant powder. The sample has been sent for analysis to the chemical examiner but the report is still awaited.

Petitioner is in custody since 03.09.2015.

On a query put by this Court, learned State

counsel has submitted that, although, petitioner was involved in another case under the Act but in the said case, no recovery of the contraband was effected from the petitioner.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to grant interim bail to the petitioner till the receipt of the report of the chemical examiner.

Accordingly, this petition is disposed of with a direction that learned Chief Judicial Magistrate, Tarn Taran 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**

December 04, 2015
mahavir