

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

**CRM-M No. 42654 of 2015 (O&M)
Date of Decision: 24.12.2015**

Baljinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Satbir Gill, Advocate
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana
for the respondent/State assisted by ASI Kamal Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the petitioner in case FIR No. 103, dated 01.07.2015, for the offence punishable under Section 21/22/27-A of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Baragudha, District Sirsa.

There is alleged recovery of 37 bottles of Rexcof Marka Cipla and Relaxcof Mark Biogenic of 100 ml. each. Thus, the quantity recovered is 3700 ml. which is commercial in nature.

At the time of hearing, learned counsel for the petitioner, restricts his prayer and prays for grant of interim bail in the light of the fact that challan has been presented without the receipt of the chemical examiner report.

Learned State Counsel, assisted by ASI Kamal Singh, is unable to refute the prayer for such interim bail, since concededly challan has been presented and the report from the Chemical Examiner

is awaited. In view of the absence of the report, the petitioner would be entitled for grant of interim bail till the report is received.

Resultantly, the petition is partly allowed and the CJM/Duty Magistrate, Sirsa is directed to release the petitioner on interim bail to its satisfaction till the receipt of the report of the Chemical Examiner. Petitioner shall also file his undertaking that on receipt of the report against him, he will immediately surrender before the Court concerned. The investigating agency shall also take steps, if required, to take the petitioner in judicial custody.

Disposed of in the above terms.

December 24, 2015

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**(JASWANT SINGH)
JUDGE**