

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-42839 of 2014 (O&M)

Date of decision:-25.5.2015.

Daler Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner seeks the benefit of regular bail in case FIR No.77 dated 7.9.2014, under Sections 21,22,61,85 NDPS Act, registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

The alleged recovery from the petitioner is of 5 gms. of heroin and 100 gms. of intoxicating powder.

The petitioner has been in custody since 7.9.2014.

Learned State counsel would submit that inspite of number of reminders, having been issued, the FSL report is not forthcoming.

Under such circumstances, the offence as to whether made out under the provisions of the NDPS Act would still be open.

The petitioner is not stated to be involved in any other proceedings under the NDPS Act.

Under such peculiar circumstances, the petitioner is held

entitled to the benefit of interim bail.

Petitioner be released on interim bail subject to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that if upon receiving the FSL report, an offence is made out against the petitioner under the NDPS Act in the light of the alleged recovery, he would be taken into custody forthwith.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.5.2015

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