

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

(224)

CRM-M-1601-2016

Decided on: February 08, 2016.

Hardev Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. H.S. Batth, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

For having been found in possession of 1400 tablets of Microlit containing diphenoxylate hydrochloride, the petitioner has been in custody w.e.f. 04.08.2015 in a case registered on 18.09.2013. Petitioner remained on interim bail for a period from 19.11.2013 till 04.08.2015.

Taking into consideration the quantity of diphenoxylate hydrochloride recovered from the petitioner, being commercial quantity, he cannot be granted concession of bail.

Learned counsel for the petitioner has submitted that the petitioner remained on interim bail w.e.f. 19.11.2013 till the date of arrest and he did not misuse his liberty.

I have heard learned counsel for the petitioner.

Interim bail had been granted to the petitioner during the awaiting period of the report of chemical examiner. After the receipt of said

report, it is prima facie apparent that the petitioner was found in possession of commercial quantity of tablets containing diphenoxylate hydrochloride. Grant of interim bail during the awaiting of the report of chemical examiner is not ipso facto a ground for grant of regular bail.

No ground is made out to grant bail to the petitioner.

Dismissed. However, it is observed that in case the trial is not concluded within a period of six months after the next date of hearing, it will be open to the petitioner to approach this Court again for grant of regular bail.

(M.M.S. BEDI)
JUDGE

February 08, 2016
harsha