

Sr. No.222

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-18947 of 2016 (O&M)

Date of Decision: 02.06.2016

Arvind Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Paramjit Singh Bal, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG., Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

As per prosecution version, the alleged recovery from the present petitioner is 20 injections of Rexogesic each injection containing 2 ml and 20 injections of Avil was effected from the petitioner.

On the basis of such alleged recovery, FIR No.16 dated 22.01.2016, under Section 22, 61, 85 of Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act') has been registered at Police Station GRP, Ludhiana.

Petitioner was arrested on 22.01.2016 itself.

Challan is stated to have been presented.

Stand taken on behalf of the State is that 20 injections of Rexogesic contain Buprenorphine salt and injections of Avil contain salt Phenramine Maleate. Such stand is taken without even the report of the Chemical Examiner having seen the light of the day.

Under such circumstances, the issue as regards offence being

made out against the petitioner under the NDPS Act would still be open.

Under such circumstances, petitioner is held entitled to the concession of interim bail.

Petitioner be enlarged on interim bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

It is clarified that if after receipt of the report of the Chemical Examiner, offence is made out against the petitioner under the provisions of NDPS Act, he would be taken into custody forthwith.

Disposed of.

02.06.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE