

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

(130)

**CRM-M-24091-2016 (O&M)
Decided on: September 07, 2016.**

Sahib Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Kanwar Pahul Singh, Advocate, for the petitioner.

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

The petitioner had been granted concession of interim bail till the receipt of report of Chemical Examiner vide order dated 28.01.2015.

Perusal of order dated 28.01.2015 clearly depicts that in case the psychotropic substance is found to be commercial, the order granting interim bail, shall be deemed to have come to an end automatically. On receipt of report of Chemical Examiner indicating that the powder recovered from the petitioner contained commercial quantity of diphenoxylate hydrochloride, the petitioner absented on 23.05.2016.

Since the report had been received, it was incumbent upon the petitioner to surrender before the trial Court. I do not find any infirmity in order dated 23.05.2016 in cancelling the interim bail to the petitioner which was conditional.

The petition is dismissed. However, right of the petitioner to seek concession of regular bail by surrendering before the Court, will not be prejudiced by this order. The petitioner is directed to surrender before the Special Judge within a period of seven days. In case of petitioner doing so, his application for regular bail will be decided within a period of three days.

**(M.M.S. BEDI)
JUDGE**

September 07, 2016

harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No