

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

CRL. MISC. No.M-26810 OF 2016
DATE OF DECISION : 10th AUGUST, 2016

Harinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. L. S. Sekhon, Advocate for the petitioner.

Mr. Shilesh Gupta, Additional Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.250 dated 08.09.2015 registered under Sections 22 of NDPS at Police Station City Sangrur, District Sangrur.

Heard learned counsel for the rival parties for quite some time and perused the impugned order Annexure P-2.

Admittedly out of eleven bottles of Rexcof only one was sent for sampling and testing. In the light of judgment of the Hon'ble Supreme Court in the case of *Gaunter Edwin Kircher vs State of Goa, 1993 AIR 1456* prima facie the petitioner is entitled to bail. Hence, I make the following order:

ORDER

- (i) The petition is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned Trial Court/Duty Magistrate, Sangrur.

10th AUGUST, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE