

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-3984 of 2016 (O&M)

Date of Decision: 09.02.2016

Charanjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Gurcharan Dass, Advocate for the petitioner.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Petitioner seeks the benefit of regular bail in case F.I.R. No.238 dated 27.12.2015 under section 22 of N.D.P.S. Act registered at Police Station, Shimlapuri, District Ludhiana.

Learned counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 150 grams of intoxicant powder was effected from the petitioner.

It has gone uncontroverted that samples having been sent, the report of the Chemical Examiner is still awaited.

Under such circumstances, the issue as to whether the offence against the petitioner is made out under the N.D.P.S Act would still be open.

Accordingly, present petitioner is held entitled to the benefit of interim bail. Petitioner be released on interim bail subject to satisfaction of C.J.M./Duty Magistrate, Ludhiana.

It is, however, clarified that, if, on receipt of the report of the Chemical Examiner an offence under the N.D.P.S Act is made out against the petitioner, he shall be taken into custody forthwith.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

09.02.2016

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