

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

**Criminal Misc.No.M-40581 OF 2016(O&M)
Date of Decision : 17th November, 2016**

Sharanjit alias Rinku

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr. K.S.Pannu, DAG, Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.71 dated 09.05.2016, registered at Police Station Division No.5, Jalandhar, District Jalandhar, under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 61 of the Excise Act.

Learned counsel for the petitioner has argued that two persons were allegedly apprehended and different recoveries have been made from them. As regards the petitioner, 110 capsules, 100 injections and 2.75 grams intoxicant powder were allegedly recovered. As regards the analysis, FSL report has been received only in respect of the injections and intoxicant powder, as per which the injections were 'Oxytocin' which were not covered by the Narcotic Drugs & Psychotropic Substances Act, 1985 and the intoxicant powder is 'Nitrazepam' but that is small in quantity. As

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regards the 110 capsules, the FSL report has not been received. Learned counsel for the petitioner has further argued that the petitioner is in custody for the last more than 06 months.

Learned State counsel, on instructions, has accepted these factual assertions.

In the circumstances, I do not deem it appropriate to finally decide the instant petition for bail and grant interim bail to the petitioner.

Ordered accordingly. Interim bail to the satisfaction of the learned trial Court/Duty Magistrate. The issue regarding the cancellation/confirmation of bail shall be decided by the learned trial Court on receipt of complete FSL report.

Disposed of accordingly.

(AJAY TEWARI)
JUDGE

17th November, 2016

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Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No