

CRM-M-42632-2016

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

CRM-M-42632-2016

Date of Decision: 01.12.2016

Baljinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. B.S.Jattana, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner, Baljinder Singh, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.26 dated 21.04.2016, registered at Police Station Sardulgarh, District Mansa, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that earlier, the petitioner was in custody and he filed petition for regular bail. Vide order dated 31.05.2016 (Annexure P-3) passed in CRM-M-18513-2016, this Court granted interim bail to the petitioner till receipt of the report of Chemical

CRM-M-42632-2016

Examiner. In the said order dated 31.05.2016, it was made clear that if on the receipt of report of the Chemical Examiner, an offence under the provisions of the NDPS Act is made out, the petitioner would be taken into custody forthwith.

Now the report of chemical examiner has been received and as per the same, Diacetylmorphine Salt was found in the substance recovered from the present petitioner. In view of the order dated 31.05.2016 passed by this Court, the petitioner is not entitled for the benefit of anticipatory bail and he has to surrender before the lower court/police.

Therefore, finding no merit in the present petition, the same is dismissed.

However, it is made clear that the petitioner will be at liberty to file application for regular bail before the lower court and the same will be decided in accordance with law.

01.12.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No