

**Sr. No. 221
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-43040 of 2015
Date of decision: 19.01.2016**

Vijay Mahajan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Ishma Randhawa, Advocate,
for the petitioner.

Mr. K.D.Sachdeva, Additional Advocate General, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner seeks benefit of regular bail in FIR No.39 dated 01.07.2015, under Sections 21/29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station Sarai Amanat Khan, District Amritsar.

Suffice it to notice that alleged recovery from the petitioner is of 110 grams of Powder.

Sample having been sent, report of Chemical Examiner is still awaited.

Under such circumstances, the offence under NDPS Act whether made out against the petitioner would still be open.

Petitioner has been in custody since 01.07.2015. He is not stated to be involved in any other case under the NDPS Act.

Under such circumstances, petitioner is held entitled to the benefit of interim bail. Petitioner be enlarged on interim bail subject to satisfaction of the Chief Judicial Magistrate/Duty

Magistrate Tarn Taran.

It is, however, clarified that if after receipt of report from Chemical Examiner, an offence under NDPS Act is made out against the petitioner, he would be taken into custody forthwith.

Disposed of.

January 19, 2016

Vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**