

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

Date of decision:21.03.2016

Satnam Singh @ Pappu

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Kushaldeep S.Sandhu,Advocate for the petitioner

Mr.Kirat Singh Sidhu,DAG Punjab
with HC Kashmir Singh

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail in case FIR No.41 dated 25.5.2015 under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act,1985,PS Mukandpur,Distt.SBS Nagar.

There is alleged recovery of 60 grams of intoxicating powder from the right pocket of petitioner's pant while apprehended travelling in a car.

It is submitted that apart from false case having been foisted upon the petitioner, after having undergone 3½ months of custody as an undertrial,he was granted interim bail due to non-receipt of Chemical Examiner's Report. However, on receipt of Chemical

Examiner's report the interim bail was ordered to be withdrawn vide order dated 9.2.2016.

It is contended that while on interim bail, petitioner has not misused the same. It is further contended that the seized quantity is marginally higher than the commercial and petitioner is not involved in any other NDPS case.

Learned State counsel on instructions states that seized quantity is 20% higher than the quantity prescribed to be commercial and therefore, it cannot be said that the seized quantity is marginally higher. That apart, he submits that petitioner is involved in five other cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 and three Excise cases.

In response, learned counsel for the petitioner states that in all the said cases petitioner stands acquitted. However, he prays for permission to withdraw the present petition to raise arguments for the grant of regular bail.

Dismissed as withdrawn.

21.03.2016
joshi

(Jaswant Singh)
Judge