

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-687 of 2016 (O&M)

Date of Decision: 14.01.2016

Balwinder Singh @ Binder

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Abhinav Jain, Advocate for the petitioner.

Mr. Sidakmeet Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Petitioner seeks the benefit of regular bail pending trial in case F.I.R. No.96 dated 14.8.2015 under sections 21, 61, 85 of N.D.P.S Act, registered at Police Station, Bajakhana, District Faridkot.

As per prosecution version an alleged recovery of 274 grams of intoxicating powder has been effected from the petitioner.

It stands conceded by learned State counsel that samples having been sent, report of the Chemical Examiner is still awaited.

Under such circumstances, the question as to whether an offence under section N.D.P.S Act is made out would still be open.

Even though, the petitioner is stated to be involved in one more proceeding under the N.D.P.S Act but he is stated to be on bail in such matter.

In view of the circumstances noticed herein above, the petitioner is held entitled to the benefit of interim bail.

Petitioner is directed to be enlarged on interim bail subject to satisfaction of C.J.M./Duty Magistrate, Faridkot.

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

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.01.2016

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