

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-8232 of 2016

Date of Decision: March 22, 2016

Ashu Jogi @ Ashu

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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

Mr. K.S. Pannu, DAG, Punjab.

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M.M.S. BEDI, J. (ORAL)

For having been found in possession of 270 grams of smack which is 20 grams higher than the commercial quantity prescribed, the petitioner has been in custody w.e.f. August 8, 2015.

A controversy has been raised whether 180 days expired on February 4, 2016 or February 9, 2016 for the purpose of presentation of challan.

Be that as it may, it is sufficient to observe here that till date, the report of Forensic Science Laboratory regarding the contents of the

contraband recovered from the petitioner has not yet been received and the challan has been presented without the report. It is also important to observe here that the prosecution agency has opted not to file any application under Section 36 A (4) of the NDPS Act seeking extension of detention of the petitioner beyond the period of 180 days.

Taking into consideration the above said facts, the petitioner can be granted the concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court.

March 22, 2016
sanjay

(M.M.S.BEDI)
JUDGE