

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-13307 OF 2017 (O&M)
DECIDED ON : 12.07.2017

Rani

...Petitioner

versus

State of U.T Chandigarh

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. S. P. S. Chakkal, Advocate,
for the petitioner.

Mr. Gautam Dutt, Standing counsel
for U.T Chandigarh.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.277 dated 16.11.2016 under Sections 22 of NDPS Act, registered at Police Station Sector 36, Chandigarh.

Learned counsel for the petitioner submits that out of 20 ampoules of Buprenorphine, which were allegedly recovered from the petitioner, only 02 ampoules have been sent for chemical examination which is in violation of the directions given by the Hon'ble Supreme court in case "**Gaunter Edwin Kircher v. State of Goa**" 1993 (3) SCC 145. He he also relied upon the judgment of co-ordinate Bench of this Court in case "**Sunil v. State of U.T Chandigarh**" decided on 19.04.2017, whereby the petitioner therein was granted regular bail, as only 05 ampoules

out of 30 recovered therein, had been sent for chemical examination.

Learned counsel further contends that the petitioner is in custody since 16.11.2016.

Learned State counsel does not dispute that only 02 ampoules out of 20, have been sent for chemical examination.

Heard learned counsel for the parties.

In view of the aforementioned facts and without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner Rani is ordered to be released on bail subject to her furnishing adequate security and bonds to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 12, 2017
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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |