

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

CRM-M-21642-2017

Date of Decision: June 15, 2017

Ravi Shankar @ Kala

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Partap Singh, Advocate,
for the petitioner.

Mr. Vikramjeet Singh, Additional A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (Oral):

Petitioner seeks grant of regular bail under Section 439 Cr.P.C.
in case bearing FIR No.129 dated 10.05.2017 under Section 15/16/85 of
NDPS Act, registered at Police Station, Baldev Nagar, District Ambala.

Contention of learned counsel for the petitioner is that the
petitioner was arrested and 4½ kgs. of poppy husk was recovered from him
as well as his co-accused namely Sonu.

He contends that the report of the Chemical Examiner is still
awaited.

He further contends that the trial which is being initiated
against the petitioner has not yet been started due to non-presentation of
challan that too in the absence of report of the Chemical Examiner.
Therefore, concession of bail be granted to the petitioner.

Counsel for the State submits that the recovery which has been

effected from the petitioner indicates that he is involved in transportation under NDPS Act. He is a person who cannot be relied upon to conclude that he will not commit similar crime in future. He, however, could not dispute the fact that the report of the Chemical Examiner is still awaited.

Having considered the submissions made by counsel for the parties, this Court is of the considered view that in the light of the fact that report of the Chemical Examiner is still awaited and the quantity of recovery is not very heavy, the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate/Chief Judicial Magistrate, Ambala.

Petition stands allowed.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

June 15, 2017

Jyoti-Y

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No