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**CRM-M-32881 of 2017
DATE OF DECISION:12.10.2017**

Baljinder Singh @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gurbir Singh Pannu, Advocate
for the petitioner.

Mr. Sandeep Virmani, Additional Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.86 dated 10.05.2016, under Section 22/61/85 of the NDPS Act, registered at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner contends that out of 15 bottles of Rexcof, which were allegedly recovered from the petitioner only one bottle had been sent for chemical examination, which is in violation of the directions given by the Supreme Court in case "**Gaunter Edwin Kircher Vs. State of Goa**", 1993(3) SCC 145. He also relied upon the judgment of co-ordinate Bench of this Court in case "**Sunil Vs. 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 has undergone a period of eight months in custody.

Learned State counsel upon instructions from ASI Major Singh does not dispute that only one bottle of Rexcof was sent for chemical examination. He further states that none of the 11 prosecution witnesses have been examined in the matter.

Heard.

In view of the submissions of learned counsel for the petitioner and without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner, namely, Baljinder Singh @ Laddi, is ordered to be released on bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate.

October 12, 2017

(ANUPINDER SINGH GREWAL)
JUDGE

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Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No