

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

**CRM No. M-41375 of 2016 (O&M)
Date of Decision: 20.02.2017**

Puran Mal

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. P.K. Ganga, Advocate for the petitioner.

Mr. Deepak K. Grewal, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.536 dated 19.09.2016, under Sections 18/19 of the Drugs and Cosmetic Act and Section 22-C of the NDPS Act, registered at Police Station Ratia, District Fatehabad.

As per prosecution version, the alleged recovery effected from the petitioner is of 450 bottles of Corex, 100 milligrams cough syrup containing codein, 6000 tablets of Rilozem and 1250 tablets of Carisoma.

Learned State counsel who is on instructions from ASI Bhoop Singh concedes that till date the report of the Chemical Examiner is awaited.

Under such circumstances, the issue as regards offence under the NDPS Act whether made out against the present petitioner would remain open.

Petitioner, as such, be released on interim bail subject to satisfaction of the trial Court to await report of the Chemical Examiner.

It is clarified that in case the Chemical Examiner report indicates the commission of offence under the NDPS Act, petitioner would be taken into custody forthwith.

Disposed of.

20.02.2017

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(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |