

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

CRL. MISC. No.M-41154 OF 2017
DATE OF DECISION : 13th NOVEMBER, 2017

Ashwani Gogna

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.49 dated 06.04.2017, under Sections 21/22/61/85 of Narcotic Drugs and Psychotropic Substance Act and Section 25/54/59 of Arms Act, registered at Police Station Kartarpur, District Jalandhar.

Heard learned counsel for the rival parties.

The petitioner was arrested on 06.04.2017 and is in jail since then.

Now there is a report from the Forensic Science Laboratory filed by learned State counsel CRM-M-24918 of 2017. As per that report the sample tested by the laboratory does not fall within the mischief of NDPS Act.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-41154 OF 2017 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (iv) The petitioner shall not tamper or influence the prosecution witness(es).
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

13th NOVEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>