

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-47738-2017

Date of decision: 19.12.2017

Vikas Garg

..... Petitioner

Versus

State of U.T. Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Naveen Upadhyay, Advocate for the petitioner.

Mr. Anil Kumar Lamdaria, Addl. PP, for UT, Chandigarh.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Vikas Garg, has prayed for grant of regular bail in case FIR No. 352 dated 10.10.2017 registered under Section 22 of the Narcotic Drugs and Psychotropic Substance Act (for short- 'the Act') at Police Station Sector-36, Chandigarh.
2. Learned Addl. PP for UT, Chandigarh, fairly admits that the FSL report has not yet been received.
3. Till the FSL report is received, it cannot be presumed that the drug recovered from the petitioner falls within the definition of “narcotic substance/contraband” under the Act.
4. Considering the overall facts and circumstances, but without expressing any opinion on the merits of the case, the petitioner is granted interim bail till the date of receipt of FSL report, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

The instant petition stands disposed of, accordingly.

December 19, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No