

Sr. No.214

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-8260 of 2017 (O&M)

Date of Decision:15.03.2017

Jodh Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate,
for the petitioner.

Mr. A.S.Kler, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Instant petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail pending trial to the petitioner in case FIR No.10 dated 19.08.2016, under Sections 22/61/85 of NDPS Act and Section 420 of IPC and Sections 7,8,13(2) of PC Act registered at Police Station Vigilance Bureau, Flying Squad, SAS Nagar, Mohali.

As per prosecution version, the present petitioner along with co-accused Badal Singh was arrested and recovery of Pamilon (Clonazepam), Alprafresh (Alprazolam), and Baklium (Chlorodiazeproxide) tablets was effected. The offences against the Prevention of Corruption Act have been cited on the basis of secret information that petitioner used to bribe the police officials to facilitate the selling of the contraband.

It has gone uncontroverted that samples having been sent, the report of the Chemical Examiner has not yet seen the light of the day.

Under such circumstances, the issue as regards offence as to

whether made out against the petitioner under the NDPS Act would still remain open.

Under such peculiar circumstances, petitioner is held entitled to interim bail to await the report of the Chemical Examiner.

Petitioner be enlarged on interim bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Mohali.

It is made clear that in case the report of the Chemical Examiner makes out a prima facie offence under the NDPS Act against the petitioner, he would be taken into custody forth with.

Disposed of.

15.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No