

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10535-2018

Date of decision: October 10, 2018

Satbir

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of anticipatory bail in case FIR No.28 dated 02.02.2018, registered under Sections 18A/18(C)/22-C of the Narcotic Drugs and Psychotropic Substances Act at Police Station Bhuna, Fatehabad.

It is a case of prosecution that petitioner along with the main accused Balwan Singh was riding on a motorcycle having a plastic bag in between them. On seeing the police party, petitioner escaped by taking the benefit of darkness whereas Balwan Singh was arrested and from the search of the bag, huge quantity of psychotropic substances were recovered i.e. 1800 tablets and 150 bottles of Onerex cough syrup. Parcel has been sent to the Forensic Science Laboratory.

Learned State counsel submitted that the report of Forensic Science Laboratory has not been received.

Petitioner has joined the investigation and nothing is to be recovered from him. Challan has already been submitted.

In this view of the matter, petition is allowed and the petitioner is ordered to be released on anticipatory bail to the satisfaction of Arresting/Investigating Officer subject to the terms and conditions as envisaged under Section 438(2) Cr.P.C till the submission of the FSL report. In case, quantity recovered from the co-accused found to be commercial then this order shall automatically come to an end.

(RAJ SHEKHAR ATTRI)
JUDGE

October 10, 2018
m. sharma

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