

Sr. No.224

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

CRM No. M-13475 of 2018 (O&M)

Date of Decision: 05.04.2018

Ved Parkash alias Kamrade

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Jimmy Singla, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner has filed the instant petition under Section 439 Cr.P.C. seeking regular bail pending trial in case FIR No.327 dated 18.11.2017, under Section 22 (C) 61-85 of NDPS Act, registered at Police Station Sadar Tohana, Fatehabad.

As per prosecution version, an alleged recovery of 780 tablets of Alprasafe and 300 tablets of Selpraz was effected from the petitioner.

Petitioner was arrested on 18.11.2017.

State counsel concedes that samples having been sent for analysis, report of the Chemical Examiner is still awaited.

The offence as to whether made out against the petitioner under the NDPS Act as such would remain open.

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

Petitioner be released on interim regular bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

It is, however, clarified that if upon receipt of the report of the Chemical Examiner, an offence under the NDPS Act against the petitioner is made out he would be taken into custody forthwith.

Disposed of.

05.04.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No