

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-32232-2018 (O&M)

Date of Decision: 3.8.2018

Hoshiar Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.52 dated 15.4.2018 registered for the offences punishable under Sections 22 of Narcotic Drugs & Psychotropic Substance Act at Police Station Bhikhiwind, District Tarn Taran.

Heard.

Learned State counsel on instructions from ASI Bhagwant Singh states that the report of Forensic Science Laboratory has not been received. It is not clear whether recovered material falls within the ambit of NDPS Act.

Without expressing any opinion on merits of the case and keeping in view that the report of Forensic Science Laboratory is not received, the petitioner is ordered to be released on bail, till the presentation

surety bond to the satisfaction of concerned Illaqa/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

Disposed of accordingly.

(RAJ SHEKHAR ATTRI)
JUDGE

August 3, 2018

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No