

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No.M-32456 of 2018 (O&M)
Date of decision : 06.08.2018

Raj Dev alias Happy

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Himanshu Puri, Advocate
for the petitioner.

Mr. V.G.Jauhar, Senior 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.51 dated 17.05.2018, registered under Sections 21 and 22 of the Narcotic Drugs & Psychotropic Substances Act, at Police Station Talwandi Chaudhrian, District Kapurthala.

Heard.

Learned State counsel 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 the fact that the report of Forensic Science Laboratory is not received, the petitioner is ordered to be released on bail, till the presentation of the report of Forensic Science Laboratory, on furnishing bail bond and 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

06.08.2018

mamta

(RAJ SHEKHAR ATTRI)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No