

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-38383-2018

Date of decision: 07.09.2018

Pasho Bai

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Parvesh Sachdeva, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Pasho Bai, has prayed for grant of regular bail in case FIR No. 103 dated 15.07.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substance Act (for short- 'the Act') at Police Station Sadar Fazilka, District Fazilka.

2. According to the prosecution, the petitioner was apprehended with 200 tablets Alprasaft and 270 loose tablets.

3. Learned counsel *inter alia* contends that FSL report has not been received qua alleged recovery from the petitioner. Therefore, at this stage, it cannot be said that the petitioner was carrying some contraband. He prays that petitioner may be granted bail till the receipt of FSL report.

4. Learned State counsel fairly admits that the FSL report has

not yet been received.

5. Till the FSL report is received, it cannot be presumed that the aforesaid 200 tablets Alprasafer recovered from the petitioner falls within the definition of “narcotic substance/contraband” under the Act. Therefore, without expressing any opinion on the merits of the case, petitioner-Pasho Bai, is granted interim bail till the date of receipt of FSL report, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

6. The instant petition stands disposed of, accordingly.

September 07, 2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No