

Crl. Misc. No. M-42948 of 2018

Date of Decision: October 03, 2018

Jasbir Singh @ Jassa

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. Ashish Aggarwal, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 75 dated 01.06.2018 under Section 22 of the NDPS Act, 1985 registered at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner submits that a total of 1200 tablets are alleged to have been recovered from the petitioner, out of which 200 tablets were of Alprazolam and the other 1000 tablets were not of any intoxicating substance. As on date, the FSL report has not been received and, thus, it can not be stated with any amount of certainty that a narcotic drug or psychotropic substance was recovered from the petitioner. The petitioner does not have any criminal antecedent and, thus, he is entitled to grant of regular bail.

The prayer is opposed by learned State counsel on the ground that commercial quantity of narcotic substance has been recovered from the petitioner. He, however, does not deny that there is no other case pending against the petitioner under the NDPS Act, 1985.

As the FSL report has not yet been received, it can not be said that a narcotic substance has been recovered from the petitioner. Thus, the petition is disposed of with direction that the petitioner be released on bail till the receipt of

report of the FSL, on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned. He shall surrender before the trial Court on the date report of the FSL is received.

October 03, 2018

reena

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No