

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

**CRM-M No.42153 of 2017
Date of Decision : 08.05.2018**

Nonis

.....Petitioner

Versus

State of U.T.

.....Respondent

CORAM :HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, APP, U.T., Chandigarh
assisted by SI Yashpal Singh.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail on behalf of the petitioner in case FIR No.241 dated 4th August, 2017, registered under Section 22 of the NDPS Act at Police Station Sector 31, Chandigarh.

2. The matter is taken up for hearing.
3. It is submitted on behalf of the U.T. that the Chemical Analysis Report has since become available.
4. The contraband allegedly recovered has been found to be 'Buprenorphine' and the combined weight of all the injections

seized is above the commercial quantity.

5. It is however ascertained that there is no record of the petitioner's involvement in any case under the NDPS Act.

6. Considering this aspect and also his specific contention supported by photographs and video recording that the petitioner was actually picked up from the shop of one Satpal where he had been working, on the alleged date of occurrence itself, this Court is not inclined to discard his contentions outright considering the evasive nature of the report sent up in compliance of the earlier order dated 14th November, 2017.

6. For the above reasons, the interim bail granted to the present petitioner earlier, is hereby confirmed.

7. Disposed off.

May 08, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No