

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-44933-2017 (O&M)

Date of Decision: 15.01.2018

Amarjit Kaur

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

The instant petition has been filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.197 dated 8.10.2017 under sections 21, 61, 85 of N.D.P.S Act, registered at Police Station, Kartarpur, District Jalandhar.

Learned counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 30 grams of intoxicant powder was effected from the petitioner on 8.10.2017.

It has gone uncontroverted that report of the Chemical Examiner is still awaited.

Offence as to whether made out against the petitioner under the N.D.P.S Act, as such, remains open.

Petitioner is not stated to be involved in any other case under the N.D.P.S Act.

Under such circumstances, petitioner is held entitled to interim bail subject to outcome of the report of the Chemical Examiner. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Amritsar.

However, it is observed that, if, upon receipt of report of the Chemical Examiner an offence under the provisions of N.D.P.S Act is made out, petitioner would be taken into custody forthwith.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

15.01.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No