

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

Criminal Misc.No.M-49726 of 2018 (O&M)

Date of Decision : 19.11.2018

Veena

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. 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.195 dated 16.07.2018, registered under Sections 21 and 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station A-Division, District Amritsar.

Learned State counsel has submitted that 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (d) In case it was found that the recovery falls within commercial quantity, then the petitioner has to surrender before the learned trial Court and this order shall automatically ceased to exist.

Disposed of accordingly.

(RAJ SHEKHAR ATTRI)
JUDGE

19.11.2018
mamta

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