

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

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CRM-M-50312 of 2018
Date of Decision: 21.11.2018

Jagsir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner (s).

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 (in short, “Cr.P.C”) for grant of regular bail to the petitioner in case FIR No.179 dated 16.08.2018 registered for the offence punishable under Sections 22 of NDPS, 1985 Act at Police Station Lambi, District Sri Muktsar Sahib.

Heard.

Counsel for the petitioner submits that 2500 tablets of Trio-SR containing salt Tramadol Hydrochloride each containing 100 mg. weight were recovered from the petitioner.

Learned State counsel states that the 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 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 21, 2018

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**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned	Yes
Whether reportable	No