

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

106

CRM-M-19488 of 2019 (O&M)

Date of Decision: 01.05.2019

Mittarpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gursimran Singh Bhatia, Advocate
for the petitioner.

ANIL KSHETARPAL, J (ORAL)

The petitioner was released on interim regular bail awaiting for report of the chemical examiner with regard to components of the powder recovered. It has been found that the report of the chemical examiner has been received and the petitioner has been found to be in possession of powder containing Diphenoxylate Hydrochloride.

Learned counsel for the petitioner submitted that the search of the petitioner carried was not in accordance with law as the Officer who had carried the personal search was not competent. This Court has considered the submission. The petitioner is now praying for grant of anticipatory bail. The petitioner was arrested at the spot and released on interim bail awaiting for the report of the chemical examiner which has already been received, therefore, the interim bail granted has come to an end. The petitioner is bound to surrender.

As regards contention of learned counsel for the petitioner, it

may be noted that the petitioner should apply for releasing on regular bail before the Court of competent jurisdiction after surrender, which would consider the same on merits. The petitioner is alleged to be in possession of 100 grams which falls in the category of commercial quantity.

Hence, no ground is made out.

Accordingly, the petition is dismissed.

01.05.2019

D.Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No