

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27159 of 2019

Date of Decision: 26.06.2019

Emeka Ezeeofer @ Polyloos

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Arjun Veer Sharma, Advocate for the petitioner.

Ms. Anu Pal, DAG, Punjab.

HARINDER SINGH SIDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.67 dated 21.3.2019, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') registered at Police Station City Khanna, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner confines his prayer for granting interim bail to the petitioner till the receipt of the FSL report in above-said FIR. It is contended that the petitioner is in custody since 21.3.2019 and no other case is pending against him under the provisions of NDPS Act.

The above factual aspect is duly acknowledged by learned State counsel.

Learned counsel for the petitioner has cited the Division Bench judgment of this Court i.e. **Inderjeet Singh @ Laddi and others Versus**

State of Punjab, 2014(3) RCR (Criminal) 953 in support of his contention that in such an eventuality interim bail is to be granted to the accused.

Under the above circumstances and keeping in view the ratio of the Inderjeet Singh's case (supra) the present petition is disposed of with a direction that the petitioner be released on interim bail, subject to the satisfaction of learned trial Court / Duty Magistrate/Illaq Magistrate, Ludhiana. It is clarified that the interim bail will come to an end automatically, the moment report from Chemical Examiner is received in the trial Court and he would be liable to surrender in the Court forthwith.

Considering that the petitioner is a citizen of Nigeria, he will be released on bail only subject to his surrendering passport before the learned trial Court/Duty Magistrate.

June 26, 2019
manoj

(Harinder Singh Sidhu)
Judge