

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-29717 of 2019

Date of Decision: 16.07.2019

Manpreet Singh alias Gora

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Ms. Satwant Mehta, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner, namely Manpreet Singh alias Gora in case FIR No.41 dated 19.03.2018, registered under Section(s) 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner contended that petitioner was earlier admitted to interim bail vide order dated 11.06.2018 (Annexure P2), passed by the learned Additional Sessions Judge, Tarn Taran till the filing report by the Forensic Science Laboratory (hereinafter referred to as “the Laboratory”). Learned counsel further contended that now challan has been presented along with the report of the Laboratory, according to which the alleged recovery, effected from the petitioner, is not a case of commercial quantity. However, this is a disputed fact, at this stage. More so, petitioner will surrender before the learned trial Court and move an application for

granting regular bail.

Notice of motion.

On asking of the Court, Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab accepts notice on behalf of respondent. A copy of paper-book be provided to him during the course of the day.

Having considered the submissions made by learned counsel for the petitioner, this Court is of the view that in case petitioner surrenders before the learned trial Judge within a period of one week from today and moves an application for granting regular bail, he shall be at liberty to raise all the pleas including the arguments on the point of quantity recovered from his possession and report of the Laboratory as well. If such an application is filed within a period of one week, the learned trial Court shall decide the same within a period of one week, thereafter, on merits.

In view of above, present petition stands dismissed.

(Shekher Dhawan)
Judge

July 16, 2019
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No