

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-15840-2020

Date of decision: 03.07.2020

Ramzan Khan @ Bunty

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Ramzan Khan @ Bunty has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.26 dated 03.03.2020, under Section 22 of NDPS Act, 1985 and Section 61 of the Punjab Excise Act 1914, registered at Police Station Cheema District Sangrur.

Learned counsel for the petitioner submits that the FIR is dated 03.03.2020. The petitioner was arrested on 03.03.2020 and is in custody since then. Learned counsel submits that report of the Chemical Examiner has not been presented till date. He then submits that there is no other case against the petitioner. Learned counsel however submits that in view of this, the petition be considered and interim bail may be granted. He undertakes to surrender before the concerned Chief Judicial Magistrate/Duty Magistrate

when it is communicated to him that FSL report has been received.

Learned State counsel, however, submits that recovery in this case made from the bag is commercial in nature and it is a case of conscious possession.

Faced with the situation, learned counsel relies on an order passed by this Court on 05.06.2020 in 'CRM-M No.12836 of 2020 titled as Harjit Singh Vs. State of Punjab'.

In view of the above, the petitioner is directed to be released on interim bail subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. It is made clear that on receipt of information that FSL report has been received, petitioner shall surrender immediately before the concerned Chief Judicial Magistrate/Duty Magistrate. It is made clear that on receipt of FSL report and finding the same to be incriminating, the petitioner shall surrender before the concerned CJM/Duty Magistrate forthwith.

Petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

03.07.2020

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