

**104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

ARCHANA ARORA
2022.09.14 18:07
I attest to the accuracy and
integrity of this document

CRM-M No. 42006 of 2022

Date of decision : September 14, 2022

Pawan Singh @Pawan Kumar @ Mani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

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

PANKAJ JAIN, J. (ORAL)

Apprehending his arrest in FIR No. 61 dated 29.6.2022 for offences punishable under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bhadson District Patiala, the petitioner has preferred this petition under Section 438 Cr. P.C seeking pre-arrest bail.

Learned counsel for the petitioner refers to order 6.9.2022 passed by the Special Court, Patiala whereby the co-accused has been admitted to regular bail on the basis of report received from the Chemical Examiner recording that:-

“As per report of Chemical Examiner, the ingredient of recovered tablets, have been found to be Chlorpheniramine Maleate. SI Gurmeet Singh, no.583, Patiala, P.S. Bhadson has come present and made the statement that the said ingredient does not fall under NDPS Act.”

Notice of motion.

On the asking of the Court Mr. Gurdarshan Singh Sidhu, Asstt.

A.G., Punjab who is present in Court accepts notice. He very fairly admits that the contraband so recovered is neither a Narcotic nor Psychotropic substance, thus, the proceedings cannot sustain.

In the event of arrest of the petitioner he shall be released on bail by the Arresting Officer. He shall join the trial regularly as and when called. He shall abide by the following conditions enumerated under Section 438(2) of the Cr.P.C:-

- (i) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (ii) a condition that the person shall not leave India without the previous permission of the Court;

The present petition stands allowed.

**(PANKAJ JAIN)
JUDGE**

September 14, 2022
archana

Whether speaking/reasoned	Yes
Whether Reportable :	No