

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

CRM-M-31559-2015 (O&M)

Date of decision : 21.09.2015

Som Nath @ Soma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rajesh K. Dadwal, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Jasbir Singh.

JITENDRA CHAUHAN, J.

The petitioner seeks regular bail under section 439 of the Code of Criminal Procedure, in case FIR No.15 dated 05.02.2015, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, (for short, 'the NDPS Act') at P.S. Bullowal, Distt. Hoshiarpur.

The learned counsel contends that the petitioner is in custody since 05.02.2015. The alleged recovered intoxicating powder was sent for chemical examination on 20.02.2015, however, the report from the office of the Chemical Examiner is still awaited.

The learned State counsel is unable to assure this Court as to how soon the report is likely to be received.

Heard.

The petitioner is in custody since 05.02.2015. The FSL report is still awaited. Therefore, the petitioner cannot be allowed to be kept in custody for indefinite period.

Keeping in view the above and the law laid down by a Division Bench of this Court in *Inderjeet Singh @ Laddi Vs. State of Punjab, 2014(3) R.C.R. (Criminal) 953*, without adverting to the merits of the instant case, the petitioner is ordered to be admitted to interim bail, till the receipt of the FSL report, subject to his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court. In case, the chemical report is found to be positive, the petitioner shall surrender within 10 days thereafter.

Disposed of.

21.09.2015

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**(JITENDRA CHAUHAN)
JUDGE**

Note : Whether to be referred to reporter ? Yes / No