

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

Crl. Misc. No. M-37007 of 2015

DATE OF DECISION: 04.11.2015

Kulwinder Singh @ Lalli

.....Petitioner

Versus

State of Punjab

.....Respondent

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. K.D.S. Sandhu, Advocate  
for the petitioner.

Mrs. Ritu Punj, Addl. A.G., Punjab.

\*\*\*\*

**DAYA CHAUDHARY, J.**

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 90 dated 30.6.2015 registered under Sections 15/61/85 of NDPS Act at Police Station Khamano, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case as he was picked up from his home and thereafter the FIR was registered. The alleged vehicle does not belong to the petitioner and the owner of the vehicle has been left out as no case has been registered against him. The petitioner is in custody since 30.6.2015 and even FSL report has not been received so far. Learned counsel has also relied upon the judgment of this Court in the case of

**Inderjeet Singh @ Bulla Vs. State of Punjab** (Crl. Misc. No. M-24624 of 2012 decided on 5.8.2015) to contend that in view of ratio of the aforesaid judgment, the petitioner is entitled for interim bail till the receipt of Chemical Examiner's Report. Learned counsel further contends that the petitioner undertakes to surrender before the trial Court on receipt of Chemical Examiner's Report.

Learned counsel for the respondent-State has filed custody certificate in Court today and the same is taken on record.

Learned counsel for the respondent-State has not disputed the factum of non-receiving the chemical examiner's report.

Without commenting anything on the merits of the case and keeping in view the ratio of judgment in **Inderjeet Singh's case (supra)**, the petitioner is entitled for interim bail as Chemical Examiner's Report has not been received so far. Accordingly, the present petition is allowed and petitioner, namely, Kulwinder Singh @ Lalli is directed to be released on interim bail to the satisfaction of trial Court till the receipt of Chemical Examiner's Report. The petitioner is directed to surrender before the trial Court on receipt of Chemical Examiner's Report.

November 04, 2015  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**