

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

CRM-M-37498-2014 (O&M)

Date of decision : 12.01.2015

Sudhir Kumar @ Tipu @ Sudhir Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by SI Surinder Singh.

JITENDRA CHAUHAN, J.

The petitioner seeks interim bail in case FIR No.162 dated 30.07.2014, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, (for short, 'the NDPS Act') at P.S. Maqsudan, Distt. Jalandhar.

The learned counsel contends that allegedly, 60 grams of intoxicating powder was recovered from him. The learned counsel refers to order dated 09.10.2014, whereby, the petitioner was declined bail by observing that it cannot be said that there is a delay in receiving the report of the chemical examiner. The petitioner was taken into

custody on 13.07.2014. The learned counsel submits that the report of the chemical examiner is still awaited.

The learned State counsel is unable to indicate the time by which the report is likely to be received.

Heard.

The petitioner is in custody since 13.07.2014. 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 CRM-M-13140-2014, titled as Inderjeet Singh @ Laddi Vs. State of Punjab, decided on 31.01.2014, without advertng 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.

Disposed of.

12.01.2015

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**(JITENDRA CHAUHAN)
JUDGE**

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