

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

CRM No.M-3766 of 2015

Date of decision: 26.02.2015

Davinder Singh @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab
assisted by ASI Puran Singh.

Jitendra Chauhan, J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case FIR No.376 dated 08.10.2014, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, at Police Station City, Tarn Taran.

The learned counsel contends that the FSL report is yet to be received and only after receipt of the report, it can be determined whether the quantity of said intoxicant is commercial or not and whether any offence under NDPS Act, is to be made out or not.

On the last date of hearing, the State was directed to produce the FSL report. The learned State counsel refers to communication dated 23.02.2015 and states that the report is likely

to be ready within another 25 days.

In the circumstances, the petitioner cannot be kept in indefinite incarceration. Accordingly, the present petition is allowed and the petitioner is ordered to be released on interim bail for ten weeks on his furnishing requisite bonds to the satisfaction of the CJM/Illaqa Magistrate.

In case, the FSL report is found to be positive, the authorities shall inform the petitioner immediately, at the address and phone number provided by the petitioner at the time of release. Thereafter, within three days, the petitioner shall surrender before the releasing Court. In the eventuality of any change of address or the contact number, he shall intimate the same to the authorities. The date of release and surrender is to be indicated by the releasing Court.

26.02.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE