

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

CRM-M-1219-2016 (O&M)

Date of decision : 04.02.2016

Pritpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Saurabh Kapoor, Advocate,
for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab
assisted by HC Jung Singh.

JITENDRA CHAUHAN, J.

This is the second petition filed by the petitioner under Section 167(2) of the Code of Criminal Procedure for grant of interim bail, in case FIR No.97 dated 24.05.2015, registered under Sections 15, 25 of the Narcotic Drugs and Psychotropic Substances Act, (for short, 'the NDPS Act') at P.S. Sadar Jagraon, Distt. Ludhiana.

The first petition under Section 167(2) Cr.P.C., moved by the petitioner was dismissed by this Court vide order dated 22.12.2015, considering the fact that the quantity was commercial. The petitioner

again approached the learned trial Court for grant of interim bail which was also dismissed vide order dated 23.12.2015. Hence, the present petition.

I have heard learned counsel for the parties and perused the case file.

The petitioner is in custody since 24.05.2015. The same was sent to the laboratory for chemical examination on 02.06.2015. The learned State counsel, on instructions, submits that due to the heavy rush, the chemical examiner's report is not likely to be received in the near future. He further states that the petitioner is not involved in any other case.

Though, the alleged recovery from the petitioner is commercial in nature, but keeping in view the fact that the report of the chemical examiner has not yet been received and is not likely to be received in the near future, keeping the petitioner in further incarceration would tell harsh upon him.

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.

04.02.2016

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(JITENDRA CHAUHAN)
JUDGE

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