

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

**CRM-M No.37047 of 2016 (O&M)
Date of Decision : 24.10.2016**

Manoj @ Manoj Kumar

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. G.S.Verma, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

AJAY TEWARI, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.107 dated 10.06.2016 registered under Sections 22, 61, 85 of the NDPS Act at Police Station GRP, District Ludhiana.

Learned counsel for the petitioner has argued that the petitioner has now been in custody since 10.06.2016 and despite the lapse of more than 4 months the forensic report has not come and prays that at least till that time the petitioner be released on interim bail.

Learned Additional Advocate General on instructions from ASI Jaswant Singh has accepted that despite reminders the FSL report has not come and the petitioner has been in custody for more than 4 months.

In my opinion, in the absence of the FSL report it cannot be fair to keep the petitioner in custody indefinitely. Resultantly, the petition is partly allowed and the Chief Judicial Magistrate/Illaq Magistrate, is directed to release the petitioner on interim bail to its satisfaction till the receipt of the FSL report and thereafter to decide the application for bail on merits.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

24.10.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No