

CRM-M No.42099 of 2016 (O&M)

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

**CRM-M No.42099 of 2016 (O&M)
Date of Decision : 29.11.2016**

Kuldeep Singh @ Sonu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Gourav Jain, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

AJAY TEWARI, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.62 dated 27.02.2016 registered under Sections 21 C, 61, 85 of the NDPS Act and 18 A/18 C Drugs Act at Police Station City Tohana, Tehsil and District Fatehabad.

Learned counsel for the petitioner has argued that the petitioner has now been in custody since 27.02.2016 and despite the lapse of 9 months the forensic report has not come and prays that at least

till that time the petitioner be released on interim bail.

Learned Deputy Advocate General on instructions from Investigating Officer has accepted that despite reminders the FSL report has not come and the petitioner has been in custody for 9 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/Illaqa 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.

29.11.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No