

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

CRM No.M-42599 of 2016 (O&M)

Date of decision: 07.12.2016

Harjinder Singh @ Laddu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek Goel, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Gurmej Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.62, dated 14.07.2016, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bajakhana, District Faridkot.

It is contended that the petitioner was arrested on 14.07.2016. However, the challan has not so far been presented. The FSL report is still awaited.

On the other hand, the learned State counsel opposes the prayer of bail and states that the recovery was effected from the conscious possession of the petitioner. She informs that the FSL

report is still awaited.

I have heard learned counsel for the parties and perused the record.

It is debatable as to whether the quantity is commercial or otherwise. Keeping in view the fact that the FSL report is still awaited, the Court feels that ends of justice would be met if the petitioner is allowed interim bail, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to interim bail on his furnishing bail bonds and surety bonds, to the satisfaction CJM/Illaqa Magistrate, concerned.

However, if the chemical report is found to be positive, the same shall be intimated/forwarded to the petitioner who shall surrender before the competent Court within a week thereafter.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

07.12.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No