

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.4368 of 2016

Date of Decision:-12.02.2016

Jaswinder Singh @ Jassa.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Kamal Narula, Advocate for the Petitioner.

Ms. Rimplejit Kaur, Assistant Advocate General, Punjab
assisted by ASI Harnek Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Jaswinder Singh @ Jassa in case FIR No.133 dated 06.08.2015 for offences punishable under Sections 21/61/85 of NDPS Act registered with Police Station Guruharshai, District Ferozepur.

There is recovery of 500 grams of *Heroin* from the possession of co-accused Sukhwinder Singh @ Sukha and present petitioner. The said quantity is commercial in nature.

Learned Counsel for the petitioner at this stage submits that the petitioner is in custody since 06.08.2015 and the report of Chemical Examiner on the seized alleged contraband is still awaited. Thus the prayer

is for interim bail.

It is contended that the similar placed co-accused Sukhwinder Singh @ Sukha has since been released on interim bail on similar grounds.

Learned State Counsel assisted by ASI Harnek Singh concedes that the report of FSL is yet to be received in spite of the reminders. In view of the absence of the report, the petitioner would be entitled for grant of interim bail till the report is received.

Resultantly, the petition is hereby partly allowed and the Illaqa Magistrate/CJM, Ferozepur is directed to release the petitioner on interim bail to its satisfaction till the receipt of the report of Chemical Examiner.

The petitioner shall also file his undertaking that on receipt of the report against him, he will immediately surrender before the Court concerned. The investigating agency, shall also taken steps, if required, to take the petitioner in judicial custody.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

February 12, 2016
Vinay