

**Sr. No.214
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-2229 of 2017 (O&M)

Date of Decision:30.01.2017

Mahinder Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Manish Soni, Advocate,
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.416 dated 19.07.2016, under Sections 21B/27A/61/85 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Ratia, District Fatehabad.

During the course of arguments, it has transpired that the alleged recovery of 100 tablets of Carisoma and 10 bottles of Corex was effected not from the present petitioner but from co-accused, namely, Gaggar @ Gaggi.

Present petitioner has been implicated on the allegation that the co-accused had purchased the contraband from him.

Counsel has adverted to the order dated 10.11.2016 passed by a coordinate Bench in CRM No. M-38813 of 2016, Gaggar alias Gaggi from whom the alleged recovery was effected has been granted concession of interim bail on the ground that the FSL report has not been received.

Petitioner was arrested on 21.07.2016.

Learned State counsel who is on instructions from ASI

Dharambir would submit that even though challan was presented on 28.10.2016 but the report of the FSL is still awaited.

In the peculiar circumstances of the case, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Fatehabad.

Petition disposed of.

30.01.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No