

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

222

**CRM-M-33176 of 2017
DATE OF DECISION:14.09.2017**

SUNIL KUMAR @ SHILA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail or in alternative interim bail in FIR No. 94, dated 29.05.2017, under Section 22 of NDPS Act, registered at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner contends that although the petitioner was arrested on 29.05.2017, the very day when FIR was lodged and injections are stated to have been recovered from him but the report of the chemical examiner has not been received so far.

Learned State counsel, upon instructions from ASI Nirmal Singh, states that 300 injections of Buprenorphin i.e. I.P. Rexogesic 2 ml each and 300 injections of Pheniramine Maleate IP Avil 10 ml were recovered from the petitioner and his co-accused but the report of the chemical examiner has not been received as yet.

Heard.

The FIR was registered on 29.05.2017 and the petitioner was also arrested on the same date. Over three months have elapsed and the report of the chemical examiner has not been received.

Consequently, the petition is allowed. The petitioner shall be released on interim bail, subject to the satisfaction of the trial Court.

However, this order shall remain in operation till the receipt of FSL report. The petitioner shall file an undertaking that on receipt of the report of the chemical examiner, he shall surrender before the trial Court for further proceedings.

14.09.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No