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**CRM-M-34132 of 2017
DATE OF DECISION:12.10.2017**

Amar Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Sandeep Virmani, Additional Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.130 dated 15.07.2017, under Sections 21/22/61/85 of NDPS Act, registered at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 95 grams of intoxicant powder and 04 grams of Heroin have been allegedly recovered from her. He further contends that the recovery of 04 grams of Heroin is below even the small quantity of 05 grams.

Learned counsel further contends that the petitioner is in custody for almost three months. He contends that report of the chemical examiner has not been received till date. He refers to a judgment of a Coordinate Bench of this Court in the case of **Inderjit Singh @ Laddi Vs. State of Punjab**, 2014(3) RCR(Criminal) 953, wherein it has been held that in case where the report of the chemical examiner is not received, the petitioner is entitled to the concession of

interim bail.

Learned State counsel upon instructions from ASI Kishan Pal states that the report of the chemical examiner is still awaited.

Heard.

The FIR has been registered on 15.07.2017 wherein recovery was also effected from the petitioner. The petitioner is in custody for almost three months and the report of the chemical examiner has not been received till date.

Therefore, in view of the law laid down by a Coordinate Bench of this Court in the case of **Inderjit Singh @ Laddi (supra)**, I deem it appropriate to grant concession of interim bail to the petitioner till the receipt of the report of the chemical examiner. Consequently, the instant petition is allowed. The petitioner is ordered to be released on interim bail subject to the satisfaction of the trial Court/Illaq Magistrate.

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 chemical examiner, she shall surrender before the trial Court for further proceedings.

October 12, 2017

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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No