

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

CRL. MISC. No.M-38263 OF 2016 (O&M)
DATE OF DECISION : 10th JULY, 2017

Harish Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CRL. MISC. No. M-965 OF 2017 (O&M)

Rakesh Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. D. S. Virk, Advocate for petitioner-Harish Kumar and
Mr. Mohit Jaggi, Advocate for petitioner-Rakesh Kumar.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed these petitions under Section 439 Cr.P.C. seeking regular bail in FIR No.416 dated 13.06.2016 registered under Section 21/22B/61/85 NDPS Act at Police Station City Sirsa, District Sirsa.

This Court had granted interim bail to petitioners Harish Kumar and Rakesh Kumar vide separate orders dated 13.01.2017 and 02.03.2017 respectively, awaiting the report from the Chemical Examiner. Learned State counsel has now tendered copy of the FSL Report dated 31.05.2017 received from the Forensic Science Laboratory,

Haryana, Mahdhuban, Karnal. She shall supply one copy to the counsel for the petitioners.

In my opinion, it would be appropriate if the petitioners are relegated to the trial Court for grant of regular bail after the receipt of the above said FSL report. Since the trial Court would be in a better position to decide whether the petitioners should be released on bail or not. This Court may not entertain the petition. However, the interim order shall continue for another four weeks.

In the result, the petition is disposed of with liberty to the petitioners to apply for regular bail before the trial Court after receipt of the FSL report. Interim bail shall continue for another four weeks from today.

10th JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*