

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

**CRM-M No. 40337 of 2017
Date of Decision: 3.11.2017**

Kabal Singh **.....Petitioner**

v.

State of Haryana **.....Respondent**

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. S.S. Gill, Advocate, for the petitioner
Mr. Munish Dev Sharma, AAG, Haryana

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No. 166 dated 14.5.2017, under Section 15 of NDPS Act, registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner contended that FSL report has not been received as yet and the petitioner be granted interim bail till receipt of report of Chemical Examiner.

Learned State counsel affirms the factum regarding non receipt of the FSL report.

For having been found in possession of two bags of poppy straw containing 20 Kgs. each, it will not be feasible to arrive at a presumption that the petitioner was found in possession of above contraband. The petitioner is in custody since 14.5.2017 and co-accused Amritpal Singh has already been released on bail.

In view of the peculiar circumstances of the case, the petition is

allowed. The petitioner is ordered to be released on interim bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Area Magistrate, subject to the condition that the petitioner would be required to surrender after the receipt of report of FSL, without prejudice to the right of the petitioner to seek regular bail, thereafter, in accordance with law.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

3.11.2017
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No