

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRM-M-40614-2017(O&M)

Date of decision:03.11.2017

Sukhvinder Singh @ Shera

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Dishant Rishi, Advocate, for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.106 dated 29.07.2017, under Sections 21/61 of the NDPS Act, registered at Police Station Ding, District Sirsa.

Learned counsel for the petitioner submits that the petitioner is in judicial lock up since 29.07.2017 and as per order dated 17.10.2017, vide which, the bail application of the petitioner was dismissed by the Additional Sessions Judge, Sirsa on the ground that the FSL report is still awaited. Counsel for the petitioner has relied upon “**Inderjeet Singh @ Laddi and others vs State of Punjab**”, 2014(3) RCR (Criminal) 953 to contend that till the report of the FSL is received, the petitioner be released on interim bail.

Learned State counsel, on instructions from Chhabil Dass submits that till date, the FSL has not been received.

In view of the judgment of this Court wherein it has been held by this court that awaiting the report of chemical Examiner/FSL, the sentence of the petitioner can be suspended till receiving of such report, the

petitioner is directed to be released on interim bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate, till receiving of the FSL report. The petitioner shall submit an undertaking before the trial Court alongwith his bail/surety bonds that he will surrender before the trial Court on receiving the report of FSL.

(ARVIND SINGH SANGWAN)
JUDGE

03.11.2017
Hemlata

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