

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

**CRM-M No.42913 of 2017 (O&M)
Decided on: 17.11.2017**

Kulbir Singh @ Dogar

....Petitioner

Versus

State of UT, Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Piyush Aggarwal, Advocate,
Mr. Archit Gupta, Advocate and
Ms. Ritika Gupta, Advocate for the petitioner.

Mr. A.S. Virk, APP for UT, Chandigarh.

ARVIND SINGH SANGWAN , J. (Oral)

CRM-36376 of 2017

Allowed as prayed for.

CRM-M-42913 of 2017

Prayer in this petition is for grant of regular bail in FIR No.189, dated 11.06.2017 under Sections 21 & 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station 39, District Chandigarh.

Counsel for the petitioner submit that the petitioner is in judicial lock-up since 11.06.2017 and till date, the report of the chemical examiner has not been received. Counsel for the petitioner, while relying upon the Division Bench judgment of this Court in **Inderjeet Singh @ Laddi and others 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 concession of interim bail, has prayed that the petitioner be granted interim bail till the report of the chemical examiner is received.

Counsel for the State, on instructions from SI Gurjiwan Singh, has not disputed the factual position that the report of the chemical examiner is still awaited. It is also submitted that the petitioner is not involved in any other case.

In view of the above and in the light of the judgment of this Court in ***Inderjeet Singh @ Laddi's case (supra)***, I deem it appropriate to grant concession of interim bail to the petitioner till receiving the report of chemical examiner. The petitioner, namely, Kulbir Singh @ Dogar shall be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate.

However, it is made clear that this order shall remain operative till the receiving of report of chemical examiner/FSL. The petitioner shall file an undertaking before the trial Court that on receipt of the report of chemical examiner/FSL, he shall surrender before the trial Court for further proceedings.

Disposed of.

November 17, 2017
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No