

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

**CRM-M No. 44753 of 2017
Date of Decision: 29.11.2017**

Kulwant Singh @ Kantu

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. Vivek Goel, Advocate, for
Mr. Prateek Pandit, Advocate, for the petitioner
Ms. Jaspreet Kaur, AAG, Punjab

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No. 195 dated 8.10.2017, under Section 22 of NDPS Act, registered at Police Station Kartarpur, District Jalandhar.

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 6 injections of Buprenorphine (Omgesic) 2 ml each, 6 viles of AVIL 10 ml each and 200 intoxicant tablets, 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 8.10.2017.

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 bonds and surety bonds to the satisfaction of the concerned 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

29.11.2017
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No