

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45108-2017

Date of decision: 06.12.2017

Subhash

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sukesh K. Jindal, Advocate for
Mr. S.K. Aggarwal, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.106 dated 29.07.2017 under Sections 21/61 of 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 20.11.2017, 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. Counsel for the petitioner further submits that co-accused Sukhvinder Singh @ Shera has already been granted the concession of interim bail vide order dated 03.11.2017 passed in CRM-M-40614-2017.

Learned State counsel, on instructions from ASI Sumeet Kumar, submits that till date, the FSL report has not been received.

In view of the judgment of this Court in **Inderjeet Singh @ Laddi's** case (supra), wherein it has been held that awaiting the report of Chemical Examiner/FSL, the sentence of the petitioner can be suspended till receiving of such report.

Accordingly, this petition is allowed and the petitioner is directed to be released on interim bail subject to his furnishing bail/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 along with his bail/surety bonds that he will surrender before the trial Court on receiving the FSL report.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

06.12.2017
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No