

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

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**CRM-M-47734 of 2017
DATE OF DECISION:20.12.2017.**

Ibrahim Khan

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Rajender Kumar, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Shekher Dhawan, J. (Oral)

Present petition under Section 439 Cr.P.C. for grant of interim bail to the petitioner in case FIR No.318 dated 01.09.2017 under Section 22 of NDPS Act, registered at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioner contended that the 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 250 injections of avil (10 ML) and 250 injections of Omgesic (Buprlnarphine Injunction I.P. 2ML), it will not be feasible to arrive at a presumption that the petitioner was found in possession of above intoxicant.

In view of the peculiar circumstances of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned 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.

(SHEKHER DHAWAN)
JUDGE

20.12.2017.
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Whether speaking/reasoned	:	YES/NO
Whether reportable	:	YES/NO