

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No.M-6337 of 2017

Date of Decision: May 22, 2017

Kabal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Rishu Mahajan, Advocate, for the petitioner.

Mr. Rajesh Mehta, Addl. Advocate General, Punjab

Amol Rattan Singh, J. (Oral)

By this petition, filed under Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Pursuant to the order of this Court dated 01.05.2017, learned State counsel has produced in Court a photocopy of the certificate issued by the Forensic Science Laboratory, showing that the samples of the contraband were received in the laboratory in good condition and were carefully packed, however, a perusal of the 'seals' on the said certificate shows that they read as 'MS' and 'RS', with no seal bearing the impression 'RK' seen.

As per the order of the learned JMIC dated 12.07.2014, produced in Court on the last date of hearing, upon an application made to her under Section 52A of the NDPS Act, 1985, it has been clearly shown

that she had affixed her seal bearing the letters 'RK' on the samples.

Obviously, the said samples were not sent to the FSL.

Considering the above fact, without making any final comment on the merits of the case, I deem it appropriate to admit the petitioner to bail.

Consequently, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

May 22, 2017
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: no