

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17588 of 2018
Date of Decision: 02.05.2018

Jamal ShekhPetitioner
Versus

State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sahil Puri, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioners in case First Information Report No.104 dated 29.12.2017 under Sections 21/61/85 of the Narcotic Drugs and Psychotropic Substance Act, 1985 registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner submits that instead of pressing the petition for regular bail, pending the trial, the petitioner may be granted the concession of interim bail till the receipt of the FSL report which has not been received till date.

The factum of non receipt of FSL report is duly acknowledged by learned State counsel.

Learned counsel for the petitioner has cited the Division Bench judgment of this Court i.e. ***Inderjeet Singh @ Laddi and others Versus State of Punjab, 2014(3) RCR (Criminal) 953*** in

support of his contention that in such an eventuality interim bail is to be granted to the accused.

Under the above circumstances and keeping in view the ratio of above judgment (supra), the petition is disposed off with a direction that the petitioner be released on interim bail, subject to the satisfaction of learned trial Court/Duty Magistrate concerned. It is clarified that the interim bail will come to an end automatically, the moment report of FSL is received in the trial Court and he would be liable to surrender before learned trial Court forthwith.

Petition is disposed off in the above terms.

[MAHABIR SINGH SINDHU]
JUDGE

May 02, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no