

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33102-2018

Date of decision: 08.08.2018

Jaswant Malhotra

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.62 dated 26.05.2018 under Sections 22, 29 of NDPS Act, registered at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner, at the very outset, submits that he is pressing the present petition only for grant of interim bail awaiting the report of the FSL in view of the judgment in **Inderjeet Singh @ Laddi and others vs State of Punjab, 2014 (3) RCR (Criminal) 953**, wherein it has been held that an undertrial can be granted the concession of interim bail till receiving the Chemical Examiner's report. Counsel for the petitioner further submits that since the petitioner is first offender and is not involved in any other case, he may be granted the concession of interim bail.

Learned State counsel, on instructions from ASI Baldev Singh, has

not disputed the factual position and has filed the custody certificate, which shows that the petitioner is not involved in any other case.

Without commenting anything further on merits of the case, considering the fact that the petitioner is first offender and is not involved in any other case and also in view of the judgment in **Inderjeet Singh @ Laddi's** case (supra), this petition is disposed of and the petitioner is directed to be released on interim bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

The petitioner is further directed to submit an undertaking before the trial Court that he will surrender before the trial Court immediately on receiving the FSL report.

[ARVIND SINGH SANGWAN]
JUDGE

08.08.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No