

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

208

CRM-M-32364-2017 (O&M)
Date of Decision: 11.09.2018

MOTI LAL

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL.

Present:- Mr. P.K. Ganga, Advocate,
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

SUDHIR MITTAL, J. (Oral)

1 Petitioner seeks regular bail in case FIR no.115 dated 13.05.2017, registered under Sections 21 of NDPS Act, 1985 and Section 13 and 18 (c) of the Drugs and Cosmetics Act, 1940, at Police Station Mandi Dabwali, District Sirsa.

2 Learned counsel for the petitioner submits that the petitioner was arrested on 13.05.2017. The allegation against him is of being in possession of 16 Injections IP of Buprenorphine each of 2 mls. The other drugs recovered from him are not covered under the NDPS Act. There is no other case pending or decided against the petitioner and the report of the Forensic Science Laboratory has not been received till date. Thus, the petitioner deserves the concession of regular bail.

3 Custody certificate dated 10.09.2018, signed by the Deputy Superintendent District Jail, Sirsa, has been filed in Court and is taken on

record. A copy thereof has been supplied to learned counsel for the petitioner. According to the certificate, the petitioner has undergone actual custody of one year, three months and twenty seven days and there is no other case pending against him.

4 Keeping in view the custody already undergone by the petitioner and the fact that report of the FSL has still not been received, I deem it appropriate to release the petitioner on bail till the receipt of report of the FSL, to the satisfaction of the trial Court/Judge, Special Court, concerned. Thereafter, on the date of receipt of report of the FSL, the petitioner shall surrender before the trial Court/Judge, Special Court concerned and shall seek regular bail.

(SUDHIR MITTAL)
JUDGE

September 11, 2018
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No