

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3916-2018
Date of decision: 05.02.2018

Sunny Kumar and others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Thakur, Advocate
for the petitioners.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioners in FIR No.270 dated 12.12.2017 under Section 22 of NDPS Act and Section 61 of Punjab Excise Act, 1914, registered at Police Station Kartarpur, District Police Jalandhar Rural.

Learned counsel for the petitioners submits that FSL report is still awaited. Counsel for the petitioners has relied upon **Inderjeet Singh @ Laddi and others vs State of Punjab, 2014 (3) RCR (Criminal) 953** to contend that till the report of the FSL is received, the petitioners may be released on interim bail.

Learned State counsel, on instructions from the Investigating Officer, submits that till date, the FSL report has not been received.

In view of the judgment of this Court in **Inderjeet Singh @**

Laddi's case (supra), wherein it has been held that awaiting the report of Chemical Examiner/FSL, the sentence of the petitioners can be suspended till receiving of such report, the petitioners are directed to be released on interim bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, till receiving of the FSL report. The petitioner shall submit an undertaking before the trial Court along with their bail/surety bonds that they will surrender before the trial Court on receiving the report of FSL.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.02.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No