

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

106+ 206

**CRM-437-2018 in/and
CRM-M-38689-2017**

Date of Decision: January 11, 2018

Sukhpal Singh

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Rajinder Goyal, Advocate
for the petitioner.

Mr. Munish Sharma, AAG,Haryana.

Sudhir Mittal, J. (Oral)

CRM-437-2018

Application is allowed.

Documents Annexures P-2 and P-3 are taken on record.

CRM-M-38689-2017

Applicant has filed this petition under Section 439 Cr. P.C. for grant of regular bail in FIR No.124 dated 15.05.2017 under Section 21 of NDPS, 1985 and Arms Act, registered at Police Station Sadar Dabwali.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 15.05.2017. As per the FIR, 15 bottles of Codiene Phosphate and Tripolidine Hydrochloride Syrup, Win Cerex, 100 ML each have

been recovered from him but the FSL report has not been received till date in support of contents of the said alleged contraband. He relies upon a judgment of Division Bench of this Court in *Inderjeet Singh @ Laddi and Ors. Vs. State of Punjab 2014(3) RCR (Criminal) 953*, according to which an accused is entitled to the grant of interim bail if there is delay in receiving the report of the FSL.

3. Learned State counsel could not dispute this legal submission.

4. In view of the above, the instant petition is allowed and the petitioner is ordered to be released on interim bail on his furnishing bail and surety bonds subject to satisfaction of the learned trial Court/Judge, Special Court concerned, till the date receipt of FSL report. However, the petitioner shall surrender himself before the learned trial Court/Judge, Special Court, on the date of receipt of report of the FSL and this order shall cease to operate.

January 11, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No