

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

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CRM-M-42763-2018 (O&M)
Date of Decision : 03.10.2018

Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. Nikhil K.Chopra, Addl. A.G. Punjab.

P.B. BAJANTHRI, J.(ORAL)

In the present petition, petitioner has sought for regular bail in case FIR No. 85 dated 25.07.2018, under Sections 22 of NDPS Act, registered at Police Station Sirhind and District Fatehgarh Sahib, Punjab .

2. Learned counsel for the petitioner submitted that petitioner is entitled to the benefit of regular bail in view of the decision passed by this Court in CRM M-7700-2018 titled as ***Rajesh Rana vs. State of Punjab***, decided on 28.02.2018. In the aforesaid cited decision, interim bail has been granted for want of FSL report. Learned counsel for the petitioner restricted his prayer for interim bail i.e. upto the receipt of FSL report.

3. Learned State counsel has not disputed the aforesaid facts as well as factual position of this case that FSL report has not been received so as to ascertain whether recovered intoxicant is commercial or non-commercial.

4. Heard.

5. In view of these facts and circumstances, petitioner is entitled to the benefit of interim bail in terms of the order passed in case titled as ***Inderjit Singh @ Laddi v. State of Punjab*** reported in 2014(3) RCR (Criminal), therefore, without expressing any opinion on the merits of the case, present petition is allowed partly. Petitioner – Sukhwinder Singh is ordered to be released on interim bail on his furnishing bail/surety bonds to the entire satisfaction of the Chief Judicial Magistrate / Duty Magistrate concerned till the communication of FSL report to the petitioner subject to the following conditions:-

(i) Petitioner shall not in any way indulge in any criminal activities and he shall not influence the witnesses or otherwise interfere with the fair trial.

(ii)(ii) Petitioner shall surrender before the Court as and when he is communicated with FSL report.

03.10.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasoned?

Yes/ No

Whether reportable?

Yes / No