

Jarneal Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 416 dated 13.08.2018 under Section 18 of the NDPS Act, 1985 registered at Police Station Ganaur, District Sonipat.

Learned counsel for the petitioner submits that allegedly 2 Kgs and 235 grams of Opium was recovered from the petitioner. However, the FSL report has not been received till date and, therefore, it can not be said with any amount of certainty that infact Opium was recovered from the petitioner. The petitioner has been custody since 13.08.2018. There is no other case pending against the petitioner and, thus, he may be granted interim bail till the date of receipt of the FSL report.

Custody certificate dated 25.10.2018 prepared by Sh. Ram Chander, Deputy Superintendent, District Prison, Sonipat, has been filed in the Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of two months and nine days. There is no other criminal case pending against the petitioner.

Learned State counsel does not dispute that the FSL report has not been received till date.

The petition is disposed of with direction that the petitioner be released on interim bail till the receipt of report of the FSL, on his furnishing bail and surety bonds to the satisfaction of the trial Court/Judge, Special Court, concerned. The petitioner shall surrender before the trial Court/Judge, Special Court, concerned on the date, when report of the FSL is received.

October 26, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No