

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

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**CRM-M No.49939 of 2018.
Date of Decision: 20.11.2018.**

Anokh Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Kulbhushan Raheja, Advocate for the petitioner.

Mr. D.S. Sukarchakia, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed by the petitioner for grant of regular bail pending trial in case F.I.R. No.103 dated 10.09.2018 under Sections 21/22/25/29/61/85 of the N.D.P.S. Act, 1985, registered at Police Station Kulgarhi, District Ferozepur.

Learned counsel representing the petitioner contended that the petitioner was falsely arrested in this case for alleged recovery of 500 grams of intoxicant powder on 10.09.2018 and by now report from F.S.L. has not been received.

Learned State counsel, on instructions from Head Constable Talwinder Singh, affirmed the above said fact.

In view of the peculiar circumstances of the case, that report of F.S.L. has not been received so far and it will not be just and fair to keep the

petitioner behind the bar any more, the petitioner is ordered to be admitted

on interim bail till receipt of F.S.L. report, on furnishing adequate bail/ surety bonds to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate, subject to the condition that the petitioner would be required to surrender after the receipt of F.S.L. report, without prejudice to the right of the petitioner to seek regular bail, thereafter, in accordance with law.

(SHEKHER DHAWAN)
JUDGE

20.11.2018
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No