

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

**CRM-M No.50084 of 2018 (O&M)
Date of Decision: 20.11.2018**

Naresh Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. D.S.Virk, Advocate for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioners in case FIR No.220 dated 13.09.2018, under Sections 21-C, 22-C & 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kalanwali, District Sirsa.

Learned Counsel for the petitioner submits that instead of pressing the petition for regular bail, pending the trial, the petitioner may be granted the concession of interim bail till the receipt of the FSL report, which has not been received till date. He further submits that the petitioner is in custody from the date of registration of the FIR i.e. 13.09.2018.

The factum of non receipt of FSL report is duly acknowledged by learned State counsel. He further submits that report under Section 173 Cr.P.C. has already been submitted.

Learned counsel for the petitioner has cited the Division Bench judgment of this Court titled as '*Inderjeet Singh @ Laddi and others Versus*

State of Punjab, 2014(3) RCR (Criminal) 953 in support of his contention that in such an eventuality, interim bail is to be granted to the accused.

Under the above circumstances and keeping in view the ratio of above judgment (supra), the petition is disposed off with a direction that the petitioner be released on interim bail, subject to the satisfaction of learned trial Court/Duty Magistrate concerned. It is clarified that the interim bail will come to an end automatically, the moment report of FSL is received in the trial Court and he would be liable to surrender before learned trial Court forthwith.

November 20, 2018
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>