

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

**CRM-M No.50374 of 2018 (O&M)
Date of Decision: 21.11.2018**

Rajinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Senior Deputy Advocate General, Punjab
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 petitioner in case FIR No.174 dated 26.07.2018, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Gurdaspur, District Gurdaspur.

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 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.

The factum of non receipt of FSL report is duly acknowledged by learned State Counsel.

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 21, 2018
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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