

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

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**CRM-M No.51650 of 2018.
Date of Decision: 29.11.2018.**

Rajinder Singh alias Lovely @ Rajinder KumarPetitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Ms. Satwant Mehta, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional 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.34 dated 28.08.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Mohkampura, District Police Commissionerate, Amritsar.

Learned counsel representing the petitioner contended that at this stage, the petitioner be released on interim bail as even F.S.L. report has not been received.

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.

Learned State counsel, on instructions from the Investigating Officer, affirmed the fact that F.S.L. report has not been received so far.

In view of the peculiar circumstances of the case, that F.S.L. report has not been received so far and it will not be just and fair to keep the petitioner behind the bar any more and keeping in view the ratio of **Inderjeet Singh's** case (supra), the petition is disposed of with a direction that the petitioner be released on interim bail till receipt of F.S.L. report, subject to the satisfaction of learned trial Court/Duty Magistrate concerned, subject to the condition that the petitioner would be required to surrender after the receipt of Chemical Examiner's report, without prejudice to the right of the petitioner to seek regular bail, thereafter, in accordance with law.

(SHEKHER DHAWAN)
JUDGE

29.11.2018
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No