

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

CRM-M-51751 of 2018
Date of Decision:30.11.2018

Sukhdev Singh @ MithuPetitioner
Versus

State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajeshwar Singh Bhalla, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The 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 First Information Report No.202 dated 24.07.2018 under Sections 22/61 of the Narcotic Drugs and Psychotropic Substance Act, 1985 registered at Police Station A-Division, Amritsar.

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.

Learned State counsel has duly acknowledged the factum of non receipt of FSL report.

Learned counsel for the petitioner has cited the Division Bench judgment of this Court i.e. ***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.

[MAHABIR SINGH SINDHU]
JUDGE

November 30, 2018
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no