

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRM-M-7700-2018(O&M)

Date of decision:28.02.2018

Rajesh Rana

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S.Sandhu, Advocate, for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.211 dated 01.10.2017, under Sections 21/61/85 of the NDPS Act, registered at Police Station Hathur, District Ludhiana Rural (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner is in judicial lock up since 01.10.2017 and the FSL report is still awaited and it will be a debatable issue whether the alleged recovery from the petitioner is in the category of non-commercial quantity. Counsel for the petitioner has relied upon the judgment of **“Inderjeet Singh @ Laddi and others vs State of Punjab”, 2014(3) RCR (Criminal) 953** to contend that till the report of the FSL is received, the petitioner be released on interim bail.

Learned State counsel has not disputed the fact that the FSL report has not been received till date.

In view of the judgment of this Court wherein it has been held by this court that awaiting the report of chemical Examiner/FSL, the petitioner can be granted interim bail till receiving of such report, the petitioner is directed to be released on interim bail subject to his furnishing bail /surety bonds to the satisfaction of the trial Court/Illaq Magistrate, till

receiving of the FSL report. The petitioner shall submit an undertaking before the trial Court along with his bail/surety bonds that he will surrender before the trial Court on receiving the report of FSL.

(ARVIND SINGH SANGWAN)
JUDGE

28.02.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No