

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

CRM-M-1027 of 2019

Date of Decision: 16.01.2019

Kuldeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. C.L. Pawar, Sr. 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 FIR No.150 dated 30.09.2018 under Section 22 of the Narcotic Drugs and Psychotropic Substance Act, 1985 registered at Police Station Kabarwala, District Sri Muktsar Sahib.

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.

The factum of non receipt of FSL report is duly acknowledged by learned State counsel on instructions from ASI Jasbir Singh.

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 furnishing of bail/surety bonds 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.

Petition is disposed off in the above terms.

[MAHABIR SINGH SINDHU]
JUDGE

January 16, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no