

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

CRM-M No.2425-2019

Date of Decision: 24.01.2019

Amrik Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.B.S.Saroha , Advocate for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.

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.405 dated 29.11.2018, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Ladwa, District Kurukshetra, Haryana.

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 further submits that the petitioner is in custody since 03.12.2018.

Custody certificate of the applicant produced by learned State counsel in Court today, is taken on record and the factum of non receipt of FSL report is duly acknowledged by him. He further submits that report under Section 173 Cr.P.C. has already been submitted.

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.

Under the above circumstances and keeping in view the ratio of above judgment 'Inderjeet Singh @ Laddi 's case (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.

24.01.2019

mamta

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned *Yes/No*
Whether Reportable *Yes/No*