

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4118-2019

Date of Decision: 05.02.2019

Irfan Khan @ Kirpal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Ravinder Malik (Ravi), Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Irfan Khan @ Kirpal, in case FIR No. 212 dated 18.06.2018, registered under Sections 22 and 29 of the NDPS Act at Police Station Ladwa, District Kurukshetra.

According to the prosecution, petitioner was apprehended with conscious possession of 1725 intoxicant tablets.

Learned counsel for the petitioner *inter alia* contends that FSL report has not yet been received. Therefore, it cannot be said at this stage that alleged recovery was a narcotic substance. Petitioner is in custody since 18.06.2018. Co-accused of the petitioner, namely; Dhanpat @ Rohit, has already been enlarged on interim bail by this Court till the receipt of FSL report, vide order dated 26.09.2018, passed in CRM-M-37413-2018. Thus, treating the case of the petitioner on the same parity,

he be also released on interim bail till the receipt of FSL report.

In view of above, but without expressing any opinion on the merits of the case, the petitioner is granted interim bail subject to furnishing personal bonds and two sureties of Rs.2.00 lakh, to the satisfaction of Special Court concerned only till receipt of the FSL report.

The petition stands disposed of accordingly.

February 05, 2019
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(RAMENDRA JAIN)
JUDGE

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