

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

CRM-M No.5005 of 2019 (O&M)

Date of Decision: 28.02.2019

Nitin

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner

Mr. Ramesh Kumar Ambauta, AAG, Haryana.

HARINDER SINGH SIDHU, J.

The petitioner is seeking regular bail in FIR No.254 dated 07.05.2018 under Sections 21 and 22 of NDPS Act, 1985, registered at Police Station Gohana City, District Sonapat.

Learned counsel for the petitioner contends that report of the chemical examiner has not been received till date. Learned counsel further refers to a judgement of a Division Bench of this Court in case titled as **Inderjeet Singh @ Laddi V. State of Punjab 2014(3) RCR (Criminal) 953**, wherein it has been held that in case where the report of the chemical examiner is not received, the petitioner is entitled to the concession of interim bail.

Learned State counsel states that report of the chemical examiner is still awaited.

Therefore, in view of law laid down by the Division Bench of this Court in the case of Inderjeet Singh @ Laddi (supra), I deem it appropriate to grant concession of interim bail to the petitioner till the receipt of the report of the chemical examiner.

Consequently, the petition is partly allowed. The petitioner shall be released on interim bail subject to the satisfaction of the Illaqa Magistrate/trial Court.

However, this order shall remain in operation till the receipt of FSL report. The petitioner shall file an undertaking that on receipt of the report of chemical examiner, he shall surrender before the trial Court for further proceedings.

February 28, 2019

(HARINDER SINGH SIDHU)
JUDGE

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No