

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

CRM-M No.6454 of 2019 (O&M)

Date of Decision: 20.02.2019

Sanju

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rakesh Mohan Jain, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

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 bail pending trial to the petitioner in case FIR No.1049 dated 04.11.2018, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Thanesar, District Kurukshetra.

Custody Certificate of the petitioner has been produced. The same is taken on record. Copy supplied to opposite side.

Learned Counsel for the petitioner submits that instead of pressing the petition for bail, pending 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 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.

The factum of non-receipt of FSL report is duly acknowledged by learned State Counsel.

Under the above circumstances and keeping in view the ratio of above judgment (supra), the present petition is disposed off with a direction that the petitioner be released on interim bail on his furnishing bail bonds and 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.

February 20, 2019
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes