

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

211

**CRM-M No.6040 of 2019.
Date of Decision: 10.04.2019.**

Jasvir Singh

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Navneet Jindal, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to the petitioner in case F.I.R. No.130 dated 25.12.2018 under Section 22-C of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Rori.

Learned counsel representing the petitioner contended that he does not press the present petition for regular bail, at this stage, but contended that the petitioner be released on interim bail as F.S.L. report has not been received as yet though the F.I.R. was registered on 25.12.2018 and since then the petitioner is in custody in this case.

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.

Short affidavit of Nar Singh, Deputy Superintendent of Police, Kalanwali, District Sirsa, filed by learned State counsel, is taken on record.

Learned State counsel affirmed the fact that F.S.L. report has not been received as yet.

In view of the peculiar circumstances of the case, that F.S.L. report has not been received so far and it will not be just and fair to keep the petitioner behind the bar any more and keeping in view the ratio of **Inderjeet Singh's** case (supra), the petition is disposed of with a direction that the petitioner be released on interim bail till receipt of F.S.L. report, subject to the satisfaction of learned trial Court/Duty Magistrate concerned, subject to the condition that the petitioner would be required to surrender after the receipt of Chemical Examiner's report, without prejudice to the right of the petitioner to seek regular bail, thereafter, in accordance with law.

(SHEKHER DHAWAN)
JUDGE

10.04.2019
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No