

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

234

**CRM-M-9273-2019
DATE OF DECISION:11.04.2019**

BALINDER @ KALA

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Kotla, Advocate for the petitioner(s).

Mr. Satish Saini, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.549 dated 27.12.2018 under Sections 20 of the NDPS Act registered at Police Station Madlauda, Panipat.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that 1 kg 300 grams of *charas* had been recovered from him. He, however, contends that the FSL report has not been received although the petitioner is in custody for over 3 months since his arrest on 27.12.2018. He further states that he may be released on interim bail in terms of the judgment of a Division Bench of this Court in the case of **Inderjeet Singh @ Laddi and others Vs. State of Punjab** reported as **2014 (3) R.C.R. (Criminal) 953**. He also contends that the petitioner is not involved in any other case.

Learned State counsel, upon instructions from SI Mahabir, is not in a position to controvert the submissions made by learned

counsel for the petitioner and submits that the FSL report has not been received till date.

The FIR was registered on 27.12.2018, the petitioner is in custody for over 3 months and the FSL report has not yet been received. Therefore, in view of the law laid down by the Division Bench of this Court in the case of **Inderjeet Singh @ Laddi and others Vs. State of Punjab** (supra), the petitioner would be entitled to interim bail.

Consequently, the petition is allowed. The petitioner shall be released on interim bail, subject to the satisfaction of Chief Judicial Magistrate concerned.

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

11.4.2019

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No