

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

**Criminal Misc. No. M-9278 of 2019
Date of decision: 07.03.2019**

Som Dutt

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Rajesh Sheoran, Addl. A.G., Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.212 dated 15.05.2018 registered under Sections 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Rai Sonapat, District Sonapat during pendency of the trial.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, 62 kg 100 gms of Ganja Patti was recovered from the petitioner. The petitioner was already arrested on 07.05.2018 in other case i.e. FIR No.490 dated 07.05.2018 registered under Sections 20 and 25 of the NDPS Act and Sections 406 and 420 IPC at Police Station Sadar Karnal, District Karnal and he was released on interim bail till the receipt of FSL report. Learned counsel further submits that in the present case, FSL report has not been received so far and at this stage, it cannot be said that the alleged recovery was narcotic substance.

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Learned State counsel has not disputed the non-receipt of FSL report, custody period as well as the fact that the petitioner is accused in the aforesaid FIR No.490 dated 07.05.2018.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Without commenting anything on the merits of the case and keeping in view the fact that FSL report has not been received so far, the petitioner (Som Dutt) is directed to be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court till the receipt of FSL report.

The petition stands disposed of.

However, the petitioner is directed to surrender before the trial Court on receipt of FSL report.

07.03.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No