

CRM-M No.48632 OF 2018(O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRM-M No. 48632 OF 2018(O&M)

Date of Decision: 09.01.2019

PritamPetitioner

versus

State of HaryanaRespondent

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present Mr.Aditya Sanghi, Advocate for the petitioner.
Mr.Yashwinder Singh, DAG, Haryana.

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 regular bail to the petitioner in case FIR No. 272 dated 07.08.2018, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Rania District Sirsa.

Learned Counsel for the petitioner submits that instead of pressing the petition for regular bail, pending the 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 further submits that the petitioner is in custody from the date of registration of the FIR i.e. 07.08.2018.

The factum of non receipt of FSL report is duly acknowledged by learned State counsel. He further submits that report under Section 173 Cr.P.C. has already been submitted.

Learned counsel for the petitioner has cited the Division Bench judgment of this Court titled as **'Inderjeet Singh @ Laddi and others**

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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.

Under the above circumstances and keeping in view the ratio of above judgment **in Inderjeet Singh's case (supra)**, the petition is disposed off with a direction that the petitioner be released on interim bail, subject 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.

09.01.2019
mamta

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No