

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-39095-2019 (O & M)
Date of Decision: September 20, 2019

GURMAIL SINGH @ MAJOR

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.96 dated 23.05.2019, under Sections 22 and 29 of the NDPS Act, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 10000 tablets of ALPAX 0.5 were recovered from him. He further contends that report of the chemical examiner has not been received till date. He refers to a judgment of a Coordinate Bench of this Court in the case of **Inderjit Singh @ Laddi Vs. State of Punjab, 2014(3) RCR(Criminal) 953**, wherein it has been held that in case where the report of the chemical examiner is not received, the petitioner is entitled to the concession of interim bail.

Learned State counsel upon instructions from ASI Sardook Singh states that the report of the chemical examiner is still awaited.

Heard.

The FIR has been registered on 23.05.2019 wherein recovery was effected from the petitioner. The petitioner is in custody and the report of the chemical examiner has not been received till date.

Therefore, in view of the law laid down by a Coordinate Bench of this Court in the case of **Inderjit Singh @ Laddi (supra)**, I deem it appropriate to grant concession of interim bail to the petitioner till the receipt of the report of the chemical examiner. Consequently, the instant petition is allowed. The petitioner is ordered to be released on interim bail subject to the satisfaction of the trial Court/Illaq Magistrate.

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

(ANUPINDER SINGH GREWAL)
JUDGE

September 20, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No