

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

243

CRM-M-44717 of 2019

Date of decision : 25.11.2019

Vicky Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr.Parminder Singh Sekhon, Advocate
for the petitioner.
Mr.Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.165 dated 26.08.2019, under Sections 22 and 29 of the NDPS Act, 1985, registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner contends that allegations against the petitioner are that 340 tablets of Clovidol (Tramadol) have allegedly been recovered from the petitioner. He states that FSL report has not been received although 03 months have elapsed since the registration of the FIR and the arrest of the petitioner. At this stage, he confines his prayer to the release of the petitioner on interim bail for want of FSL report in terms of the judgment of Division Bench in the case of **Inderjit Singh @ Laddi Vs. State of Punjab**, 2014 (3) RCR (Criminal) 953, wherein it has been held that when the report of the chemical examiner is not received despite lapse of considerable time, the accused is entitled to the concession of interim bail.

Learned State counsel upon instructions from SI-Narinder Singh states that FSL report is still awaited.

Heard.

The FIR has been registered on 26.08.2019 wherein recovery was also effected from the petitioner. The petitioner is in custody for almost 03 months 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 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 the 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

25.11.2019
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No