

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

CRM-M No.46872 of 2019

Date of decision : November 22, 2019

Ravi Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.S. Dhillon, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab.

ANUPINDER SINGH GREWAL J. (ORAL)

The petitioner is seeking regular bail in FIR No.72 dated 05.07.2019, under Section 22 of the NDPS Act, 1985 registered at Police Station Khuhi Khera, District Fazilka, Punjab.

Learned counsel for the petitioner contends that the FSL report has not been received although 4½ months have elapsed since the registration of the FIR and the arrest of the petitioner. He confines his prayer only to the grant of interim bail. 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 Jaspal Singh, states that the report of the chemical examiner is still awaited.

Heard.

The FIR has been registered on 05.07.2019 wherein recovery was also effected from the petitioner. The petitioner is in custody for almost 4½ 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/Illaqa 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

November 22, 2019

sarita

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No