

In the High Court of Punjab and Haryana at Chandigarh

252

CRM-M-53814-2019 (O & M)

Date of Decision: December 20, 2019

DARA 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. N.K. Banka, 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 1100 intoxicant tablets labeled as Clovidol (Tramadol) 100-SR have allegedly been recovered from the petitioner and the co-accused. He states that FSL report has not been received although about 04 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 04 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

December 20, 2019

A.Kaundal

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