

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No.1880 of 2020
Date of decision:23.01.2020**

Pardeep Sharma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. I.S.Dhaliwal, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.233, dated 13.09.2019 registered under Section 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 at Police Station City Rajpura, District Patiala.

Learned counsel for the petitioner has submitted that petitioner is in custody since 17.09.2019, no recovery was effected from him and his name was disclosed by the co-accused Bittu Singh. Learned counsel for the petitioner has further submitted that FSL report has not yet been received by the prosecution agency.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. Learned State counsel upon instructions from HC Swarn Singh does not refute the fact that FSL report has not been received so far.

Thereupon learned counsel for the petitioner has restricted his prayer made in the petition to interim bail till receipt of FSL Report.

In view of the fact that the FSL report in the case has not been received so far and in view of observations of this Court in Para No.54 of the judgment passed by a Division Bench of this Court in ***Inderjeet Singh @ Laddi and others Vs. State of Punjab: 2014(3) RCR (Criminal) 953*** but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concesion of interim regular bail till receipt of FSL report.

Therefore, the petition is allowed and the petitioner is ordered to be released on interim regular bail till receipt of FSL report on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned. On receipt of FSL report, the petitioner shall apply for regular bail before the trial Court which shall be at liberty to decide the same in accordance with law keeping in view the FSL report.

23.01.2020

pooja saini

**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No