

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

202

**CRM-M No. 12836-2020
Date of decision:5.6.2020**

Harjit Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.P.S.Sekhon, Advocate
for the petitioner.

Mr.Luvinder Sofat, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of interim regular bail in case bearing FIR No.31 dated 7.2.2020 registered under Sections 22 and 29 of the NDPS Act at Police Station Lehra District Sangrur.

The FIR was registered on the basis of secret information. Though the secret information was given in respect of the petitioner that he used to bring narcotic tablets from Haryana side and then used to supply it in the villages nearby. Thereafter, it was alleged that Asin son of Suraj Khan had gone to bring narcotic tablets and if barricading is done, the accused can be apprehended. Asin was apprehended with narcotic

tablets. The order rejecting bail by the Judge, Special Court is indicative of the fact that the Court has taken the aforesaid portion of the FIR, while relating the same to the petitioner in the context of recovery of 50 strips each containing 10x10 tablets, total 100 tablets of Clovidol 100 SR and 120 strips each containing 10x10 tablets, total 1200 tablets of Alprazolam. In fact this was the recovery from co-accused Asin on 7.2.2020.

Learned State counsel, on instructions from ASI Kewal Singh, states that in fact the petitioner was arrested on the next day on the basis of secret information from the place near to the bus stand along with 1500 tablets of Covidol 100 SR. The order rejecting bail is silent qua this aspect of the prosecution story. There is no accused by the name of Suraj Khan. In fact, son of Suraj Khan, namely Asin is an accused.

Admittedly, the FSL report has not been received so far. In view of law laid down in **Inderjeet Singh @ Laddi vs. State of Punjab 2014 (3) RCR (CrI.) 953**, petitioner can be granted interim bail till receipt of FSL report.

In view of above, petitioner is directed to be released on interim bail subject to his furnishing heavy bail bonds/ surety bonds to the satisfaction of concerned CJM/ Duty Magistrate. It is made clear that on receipt of FSL report and finding the same

to be incriminating, the petitioner shall surrender before the concerned CJM/ Duty Magistrate forthwith.

Petition stands disposed of accordingly.

05.06.2020
anita

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No