

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

(Heard through VC)

CRM-M-13893 of 2020 (O&M)
Date of Decision: June 16, 2020

Sandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Gaurav Dhuriwala, Sr. DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.40 dated 01.05.2020, under Section 22 of NDPS Act (later on Section 29 of NDPS Act was added), registered at Police Station Ganie Ke Bangar, District Batala.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.05.2020. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that FSL report is still awaited and till such time the FSL report is not being received, the petitioner is entitled to be enlarged on interim bail. In support of his arguments, counsel for the petitioner relies

upon judgment rendered in ***Inderjeet Singh @ Laddi and others vs. State of Punjab, 2014(3) RCR (Criminal) 953.***

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that FSL report is still awaited.

I have heard learned counsel for the parties.

In view of the judgment rendered in ***Inderjeet Singh @ Laddi and others vs. State of Punjab (supra)*** and that the petitioner herein has been in custody since 01.05.2020 and that FSL report is still awaited and the trial will commence only after receipt of the FSL report, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is disposed of and the petitioner is directed to be released on interim regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, till the FSL report is received. The petitioner shall submit an undertaking before the trial court/Duty Magistrate along with his bail/surety bonds that he will surrender before the trial court on receiving the FSL report.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

June 16, 2020
vijay sainip

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable	Yes/No
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