

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16737-2020 (O&M)

Date of Decision: 14.07.2020

Jasbir Singh @ Jassi

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Deepak Verma, Advocate for the petitioner

Mr. BS Sewak, AAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

Petitioner-Jasbir Singh @ Jassi has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.17 dated 19.03.2020 under Sections 22 of NDPS Act, 1985 registered at PS Kathgarh, District SBS Nagar.

Learned counsel for the petitioner submits that the FIR is dated 19.03.2020. The petitioner is in custody since 19.03.2020. Learned counsel submits that report of the FSL has not been presented till date. He then submits that there is no other case against the petitioner. Learned counsel however submits that in view of this, the petition be considered and interim bail may be granted. He undertakes to surrender before the concerned Chief Judicial Magistrate/Duty Magistrate when it is communicated to him that FSL report has been received.

Learned State counsel, however, submits that recovery in this case made from the bag is commercial in nature and it is a case of conscious possession.

In view of the above, the petitioner is directed to be released on interim bail subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. It is made clear that on receipt of information that FSL report has been received, petitioner shall surrender immediately before the concerned Chief Judicial Magistrate/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.

14.07.2020

vishal shonkar

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No