

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 16562 of 2020

Date of Decision: 10.7.2020

Jagtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ravinder Sharma, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 0056 dated 20.4.2020 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Moonak, District Sangrur.

Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 20.4.2020. He also submits that report of FSL is still awaited. He restricts his prayer to the extent that the petitioner may be released on interim bail till the report of FSL is received. In support of his contentions, he relies upon ***Inderjeet Singh @ Laddi and others versus State of Punjab, 2014(3) RCR (Criminal) 953.***

Notice of motion.

On the asking of the Court, Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the State. He admits the fact that report of FSL is still awaited, but opposes the prayer made by the learned counsel for the petitioner.

I have heard learned counsel for the parties.

A Division Bench of this Court in case of '*Inderjeet Singh @ Laddi's* case (*supra*) has held that the accused-petitioner can be granted interim bail till the report of FSL is received.

Accordingly, the petitioner is ordered to be released on interim bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, till receiving of the FSL report. 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 of the FSL report.

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

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

July 10, 2020
Gurpreet

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