

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

CRM-M-16904-2020

Date of Decision : 16.07.2020

Gurpreet Singh

....Petitioner

versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Jatinderpal Singh, Advocate for the petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Section 439 Cr.P.C. is for grant of interim bail to the petitioner in case FIR No.57 dated 08.03.2020, registered under Section 22-C, NDPS Act, 1985, at Police Station Kalanwali, District Sirsa, till the receipt of FSL/Chemical Examiners report.

3. Brief facts of the case leading to the filing of the instant petition are that on 08.03.2020, the petitioner was arrested from the area of Bus Stand, Pipli allegedly with 2500 prohibited intoxicant tablets weighing 1.037 kilogram without any permit or license, during patrolling by the police officials. After compliance with the provisions of Section 52 of the NDPS Act besides completion of other formalities, the petitioner was arrested. Learned counsel contends that the petitioner has been falsely implicated and since the FSL report has not been received so far,

therefore in view of the judgment of the Division Bench of this Court in

case titled as **Inderjeet Singh @ Laddi v. State of Punjab, 2014 (3) RCR (Crl.) 953**, the petitioner is entitled to interim bail till the receipt of the FSL report.

4. Learned DAG, Haryana, on instructions from SI Om Parkash, states that it is factually correct that till date report of FSL has not been received. Learned DAG has also not been able to show that the decision of the Division Bench of this Court in **Inderjeet Singh's** case (supra) is not applicable in the facts and circumstances of the case.

5. Accordingly, in view of the decision of the Division Bench of this Court in **Inderjeet Singh's** case (Supra), the petition for grant of interim bail is accepted and the petitioner is directed to be released on interim bail subject to his furnishing bail bonds / surety to the satisfaction of the learned CJM / Trial Court / Duty Magistrate till the receipt of the FSL report. However, it is made clear that on receipt of FSL report and finding the same to be incriminating, the petitioner shall surrender before the learned trial Court / Duty Magistrate.

6. Petition allowed in the aforementioned terms.

(B.S. Walia)
Judge

16.07.2020
'PS/Rajesh'

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