

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

CRM-M-18109-2020 (O&M)

Date of decision : 27.07.2020

Pritpal Singh @ Preeta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Saini, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

JITENDRA CHAUHAN, J.

The petitioner seeks concession of bail under Section 439 of the Code of Criminal Procedure, in FIR No.28 dated 25.04.2020, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at P.S. Ghall Khurd, District Ferozepur.

Learned counsel submits that the petitioner has been falsely implicated in the instant case. Earlier also, a false case bearing FIR No.204 dated 12.12.2005, under Sections 22 and 25 of the NDPS Act, was foisted against the petitioner, wherein, he stands acquitted vide judgment dated 19.03.2019, passed by learned Judge, Special Court, Ferozepur. The petitioner is in custody since 25.04.2020. Till date, the FSL report has not been filed.

The learned State counsel, on instructions, admits the factum of

the report having not been received so far. Further, there is no assurance on behalf of the State as to how soon the same could be furnished.

Heard.

At this stage, this Court is not inclined to go into the merits of the assertions raised by learned counsel for the petitioner qua the factual aspect of the matter. However, as the report of the Chemical Examiner is still awaited, keeping in view the law laid down by a Division Bench of this Court in *Inderjeet Singh @ Laddi Vs. State of Punjab, 2014(3) R.C.R. (Criminal) 953* and without adverting to the merits of the instant case, the petitioner is admitted to interim bail for a period of three months from the date of his release, awaiting chemical examination report, subject to furnishing bail bonds with two local sureties to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. The petitioner shall surrender back to the jail authorities on the date and time to be noticed by the releasing Court. During the interregnum, in case the report is received and found to be positive, the same be communicated to the petitioner, who shall surrender to the jurisdiction of the concerned Court, within ten days thereafter.

Disposed of.

27.07.2020

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No