

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18774-2020

Date of Decision : 10.08.2020

Gagandeep Singh

...Petitioner

Versus

State of Punjab

....Respondent

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

Present : Mr. Amit Goyal, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

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 regular bail to the petitioner in case FIR No.42 dated 31.05.2020 registered under sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Thulliwal, District Barnala.

3. Learned counsel for the petitioner contends that the petitioner is an innocent person and has been falsely implicated besides no recovery has been effected from him. Presentation of challan and conclusion of trial would take sufficient period of time and the report of the FSL is still awaited, therefore, in view of the decision of a Division Bench of this Court in case titled as '**Inderjeet Singh @ Laddi** versus **State of Punjab**', 2014(3) RCR (Crl.) 953, the petitioner is entitled to interim bail till the receipt of the

4. Learned AAG, Punjab, states that it is factually correct that till date report of FSL has not been received.
5. Accordingly, in view of the decision of the Division Bench of this Court in '**Inderjeet Singh's** case (surpa), the petition for grant of interim bail is accepted and the petitioner is directed to be released on interim regular 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 the petitioner shall surrender before the learned trial Court/Duty Magistrate if the FSL report on receipt is found to be incriminating.
6. Petition ***allowed*** in the aforementioned terms.

(B.S. Walia)
Judge

August 10, 2020
'Rajneesh-Amit'

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