

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19065-2020 (O&M)

Date of Decision: 05.08.2020

Gurjinder Singh @ Mithun

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Amit Kumar Walia, Advocate for the petitioner

Mr. SS Deol, DAG 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-Gurjinder Singh @ Mithun has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.26 dated 03.03.2020 under Section 22/29 of NDPS Act and Section 61 of the Punjab Excise Act, 1914 registered at PS Cheema, District Cheema.

Learned counsel at the outset submits that the petitioner was arrested on 03.03.2020. He submits that since then neither the challan nor the report of the FSL have been presented till date. Reliance has been placed on an order passed by this Court dated 10.07.2020 passed in **CRM-M-16562-2020 (Jagtar Singh vs. State of Punjab)** wherein while referring to a Division Bench decision rendered in **Inderjeet Singh @ Laddi & Ors. vs. State of Punjab 2014(3) RCR (CrI.) 953**, it was held that interim bail can be granted till the report of FSL is received.

Learned counsel then submits that in view of this, the petition be considered and interim bail may be granted. He undertakes that the petitioner shall surrender before the concerned Chief Judicial

Magistrate/Duty Magistrate when it is communicated to him that FSL report has been received.

Learned State counsel though has opposed the prayer made by the petitioner but is not able to deny the above facts.

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.

05.08.2020

vishal shonkar

(Girish Agnihotri)
Judge

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

Yes/No
Yes/No