

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-20438-2020
Decided on : 11.08.2020

Rakesh Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. D.S.Virk, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of concession of bail in case FIR No.169 Dated 21.05.2020 registered under section 22/61 of NDPS Act 1985 at Police Station Sadar Dabwali District Sirsa during pendency of trial.

Learned counsel for the petitioner *inter alia* contends that he would restrict his prayer for concession of interim bail till the receipt of the FSL report. In support, learned counsel for the petitioner has placed reliance upon the Division Bench judgment of this Court, rendered in '**Inderjeet Singh @ Laddi and others Vs. State of Punjab, 2014(3) RCR (Crl.) 953**', wherein, it was held that an accused can be extended the concession of interim bail till the receipt of FSL report. He further submits that petitioner has been in custody since 21.05.2020.

Learned State counsel on the other hand while opposing the prayer for grant of concession of interim bail to the petitioner, has admitted

that FSL report is still awaited and the delay has been on account of the outbreak of the pandemic.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that petitioner is behind bars since 21.05.2020 and FSL report has not yet been received in respect of the contraband recovered from the petitioner, keeping in view the ratio of above judgment (supra), the instant petition is disposed off with a direction that the petitioner be released on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of learned CJM/trial Court/Duty Magistrate concerned. It may be clarified that the interim bail granted to the petitioner will come to an end automatically, on receipt of the report of FSL by the trial Court and he would be liable to surrender before learned trial Court forthwith.

(MANJARI NEHRU KAUL)
JUDGE

11.08.2020

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No