

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

**Criminal Misc. No.M-21885 of 2020
Date of Decision: 14.08.2020**

Gurdeep Singh @ Deepa

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.170 dated 28.05.2020 under Sections 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “the NDPS Act”) registered at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner has argued that the allegation against the petitioner is that he was found in possession of 1000 loose intoxicating tablets and FSL report in the case is still awaited. So long as the Chemical Examiner’s report is received, it is not possible to

comment upon the nature of the contraband so recovered from the petitioner. There is no other case pending against the petitioner and he is in custody since 30.05.2020.

Learned State counsel does not dispute the custody of the petitioner as well as the fact that FSL report is still awaited in the case.

I have heard learned counsel for the parties.

Admittedly, FSL report is awaited in the case. In view of judgment of this Court in the case of **Inderjeet Singh @ Laddi and others Vs. State of Punjab 2014(3) RCR (Criminal) 953**, wherein it has been held that till the FSL report is received, the petitioner may be released on interim bail and also considering the fact that there is no other case pending against the petitioner, this Court deems it appropriate to release him on interim bail till the receipt of FSL report.

Accordingly, the present petition is disposed of and the petitioner is directed to be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, till the receipt of FSL report.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved in misusing the concession of bail, in any manner.

August 14, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No