

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-22092 of 2020
Date of decision:08.10.2020

Ved Parkash and another ... Petitioners

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Atul Prataap Dhankhar, Advocate, for the petitioners.

Mr. Rajiv Sidhu, Deputy Advocate General, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioners have filed this petition under Section 439 of Cr.P.C.for grant of regular bail in case FIR No.176 dated 30.05.2020 registered under Sections 18/61/85 of Narcotic Drugs and Psychotropic Substance Act, 1985 (hereinafter referred to as “1985 Act”) (Sections 61 and 85 of 1985 Act, have wrongly been mentioned in the petition) at Police Station Sadar Dabwali, District Sirsa.

Learned counsel for the petitioners has submitted that petitioners are in custody since 03.06.2020, no recovery was effected from them. Learned counsel for the petitioners has further submitted that FSL report has not yet been received by the prosecution agency.

Learned State counsel upon instructions from ASI Salender does not refute the fact that FSL report has not been received so far. Thereupon, learned counsel for the petitioners has restricted his prayer made in the petition to interim bail till receipt of FSL Report.

In view of the fact that the FSL report in the case has not been received so far and in view of observations of this Court in Para No.54 of the judgment passed by a Division Bench of this Court in *Inderjeet Singh @ Laddi and others Vs. State of Punjab: 2014(3) RCR (Criminal) 953* but without commenting on merits of the case, I am of the considered view that the petitioners deserve the concession of interim regular bail till receipt of FSL report. Therefore, the petition is allowed and the petitioners are ordered to be released on interim bail till receipt of FSL report on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned. On receipt of FSL report, the petitioners shall apply for regular bail before the trial Court which shall be at liberty to decide the same in accordance with law keeping in view the FSL report.

(SUVIR SEHGAL)
JUDGE

October 08, 2020
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No