

CRM-M-25356-2020

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

CRM-M-25356-2020

Date of decision: 03.09.2020

Dinesh Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. D.N.Ganeriwala, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Prayer in this petition filed under Section 439 Cr.P.C., is for grant of interim bail to the petitioner in case FIR No.125 dated 11.06.2020, registered at Police Station Nathusari Chopta, District Sirsa, under Sections 17 and 27-A of the Narcotic Drugs and Psychotropic Substances Act, 1985, till the receipt of FSL report.

Learned counsel for the petitioner submits that the petitioner has been in custody since 11.06.2020 and the report of FSL is still awaited. He submits that the petitioner may be released on interim bail till the report of FSL is received. In support of his contentions, he relies upon ***Inderjeet Singh @ Laddi and others vs State of Punjab***, 2014 (3) RCR (Criminal) 953. He also states that the petitioner is not involved in any other case of similar nature.

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Learned State counsel does not dispute the aforesaid factual position, but points out that the petitioner is a resident of District Mandor, Madhya Pradesh.

I have heard learned counsel for the parties.

A Division Bench of this Court in ***Inderjeet Singh @ Laddi's case (supra)***, has held that the accused can be granted interim bail till the report of FSL is received.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on interim bail subject to him furnishing bail/surety bonds in the sum of Rs.5 lakh to the satisfaction of the trial Court/Duty Magistrate, till receiving of the FSL report. The petitioner shall submit an undertaking before the trial Court/Duty Magistrate along with his bail/surety bonds that he will surrender before the trial Court on receiving of the FSL report.

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

03.09.2020

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No