

CRM-M-27507 -2020

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

CRM-M-27507-2020

Date of decision:28.10.2020

Vinod Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ajay Arora, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-25985-2020

Prayer made in the present application is for preponing the hearing of the main case i.e. CRM-M-27507-2020 which is already fixed for 04.12.2020.

Notice of the application.

On the asking of this Court, Mr. Ramesh Kumar Ambavta, AAG, Haryana, accepts notice on behalf of the respondent-State and states that he has no objection in preponing the hearing of the main case for that of today.

In view of the above, the application is allowed and the hearing of the main case is postponed for today itself.

Main Case

The petitioner seeks regular bail in FIR No. 259 dated

10.06.2020 under Sections 22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Rania.

Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 10.06.2020. He also submits that the report of FSL is still awaited. He restricts his prayer to the extent 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 versus State of Punjab, 2014(3) RCR (Criminal) 953*** and the decision passed by the Co-ordinate Bench of this Court in ***CRM-M-28140-2020*** titled '***Shivraj Singh @ Raju versus State of Haryana***' decided on ***21.9.2020***.

Learned State counsel has admitted the fact that report of FSL is still awaited, but opposes the prayer made by the learned counsel for the petitioner.

I have heard learned counsel for the parties.

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

Accordingly, the petitioner is ordered to be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, till receipt 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 in misusing the

CRM-M-27507 -2020

concession of bail, in any manner.

Disposed of.

28.10.2020

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No