

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

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**CRM-M No.31411 of 2020
Date of decision:11.11.2020**

Sudhir alias Bacha

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. Abhinash Jain, DAG, Haryana.

SUVIR SEHGAL J. (ORAL)

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

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.123, dated 01.08.2020 registered under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bond Kalan, District Charkhi Dadri.

Learned counsel for the petitioner has argued that FSL report is awaited. He has referred to para 7 of the petition and submitted that there is no other case pending or decided against the petitioner under the NDPS Act. However, an FIR No.510 dated 23.10.2019 under Sections 147, 148, 149, 323, 325 and 506 of IPC is pending against the petitioner at Police Station Sector-9, Gurugram. He is on bail in this case.

Upon instructions from ASI Kuldeep, State counsel does not refute the fact that FSL report has not been received so far.

Thereupon, learned counsel for the petitioner 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 petitioner deserves the concession of interim regular bail till receipt of FSL report.

Therefore, the petition is allowed and the petitioner is 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 petitioner 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.

11.11.2020

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No