

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-1612-2019

Date of decision: 29.05.2020

Jagdish

....Petitioner

V/s.

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Deepak Sabherwal, Addl. A.G., Haryana.

Ritu Bahri, J. (Oral)

By this revision, the petitioner is seeking quashing of impugned order dated 18.06.2019 passed by Ld. Additional Sessions Judge-cum-Vacations Judge, Sirsa whereby the bail application of the petitioner has been dismissed.

After hearing learned counsel for the parties, the short question for consideration in the present revision is whether the challan which was presented against the petitioner without chemical examiner report can be made a ground to deny him regular bail.

This aspect has already been considered by the Division Bench of this Court in **CRR No. 4659 of 2015** titled ***Ajit Singh alias Jeeta and another V/s. State of Punjab*** decided on 30.11.2018 whereby the Division Bench has held that if a challan is not presented with chemical examiner report, in this backdrop, the accused has right for grant of bail.

Hence, revision is allowed and impugned order dated 18.06.2019 is being set aside and the petitioner is being directed to be released on regular bail under Section 167(2) of Cr.P.C to the satisfaction

of the concerned Chief Judicial Magistrate/Duty Magistrate.

29.05.2020

Divyanshi

RITU BAHRI
(JUDGE)

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No