

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

CRM-M-34295 of 2020

Date of Decision: 09.11.2020

Surjeet Singh @ Bablu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. D.S.Virk, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

SANT PARKASH, J. (ORAL)

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court]

The petitioner has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.248 dated 23.07.2020 registered under Sections 22-B, 61, 85 of NDPS Act at Police Station Sirsa Sadar, District Sirsa.

Learned counsel for the petitioner has argued that the allegation against the petitioner is that he was found in possession of 610 capsules of Tramadol Hydrochloride and FSL report in the case is still awaited. He is in custody since 23.07.2020. So long as the Chemical Examiner's report is received, it is not possible to comment upon the nature of the contraband so recovered from the petitioner.

Learned State counsel does not dispute the custody of the petitioner as well as the fact that FSL report is still awaited in the case.

I have heard learned counsel for the parties.

Admittedly, FSL report is awaited in the case. In view of judgment of this Court in the case of Inderjeet Singh @ Laddi and others Vs. State of Punjab 2014(3) RCR (Criminal) 953, wherein it has been held that till the FSL report is received, the petitioner may be released on interim bail and also considering the fact that there is no other case pending against the petitioner, this Court deems it appropriate to release him on interim bail till the receipt of FSL report.

Accordingly, the present petition is disposed of and the petitioner is directed to be released on interim bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, till the receipt of 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 concession of bail, in any manner.

**(SANT PARKASH)
JUDGE**

09.11.2020
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No