

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 34706 of 2020
Date of Decision: 03.11.2020**

Bhupinder Aajna

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Singh Jattan, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 105 dated 03.9.2020 under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Nakodar, District Jalandhar.

Custody certificate by way of affidavit of Superintendent, Central Prison, Ludhiana has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 03.9.2020. He also submits that 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.***

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 furnishing bail/surety bonds 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.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

November 03, 2020
Gurpreet

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