

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

**CRM-M-35930 of 2020**

**Date of Decision: 09.11.2020**

Saurav Kumar

*.....Petitioner*

*Versus*

*State of Punjab*

*.....Respondent*

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

**HARINDER SINGH SIDHU, J**

Prayer is for grant of regular bail in case FIR No.199 dated 24.07.2020 under Sections 22 of NDPS Act, 1985 registered at P.S City Rupnagar, District Rupnagar.

As per allegations in the FIR, 80 injections of Buprenorphine Hydrochloride and 80 injections of Avil were recovered from the possession of the petitioner as well as co-accused.

Learned counsel for the petitioner contends that the recovery of alleged contraband cannot be termed as recovery from the conscious possession of the petitioner. It is contended that the alleged contraband was sent to the Forensic Science Laboratory (FSL) but no report has so far been received and thus, in the light of the ratio of judgment passed in "[Inderjeet Singh @ Laddi and others vs State of Punjab](#)", 2014 (3) RCR (Criminal) 953, the petitioner may be released on bail.

Learned State counsel though has not disputed the fact of FSL report having not been received as yet but opposed the prayer for bail.

Without commenting anything on merits of the case and in

view of the judgment of this Court in **Inderjeet Singh @ Laddi's case (supra)**, wherein it has been held that awaiting the report of Chemical Examiner/FSL, the petitioner can be granted interim bail till receiving of such report, accordingly, this petition is allowed and the the petitioner Saurav Kumar is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned till receiving of the FSL report.

The petitioner shall submit an undertaking before the trial Court along with his bail/surety bonds that he will surrender before the trial Court on receiving 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.

**November 09, 2020**  
**manoj**

**(Harinder Singh Sidhu)**  
**Judge**

**Whether speaking/reasoned: Yes/No**

**Whether Reportable: Yes/No**