

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-39851-2020

DATE OF DECISION: 07.12.2020

RAVI KANT @ SUNNY

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.172 dated 26.06.2020, under Sections 21 and 22 of the NDPS Act, 1985, registered at Police Station Mullana, District Ambala.

Learned counsel for the petitioner contends that the petitioner is in custody for over 05 months since 26.06.2020 whereon the FIR was registered and the recovery of 752 intoxicant capsules have allegedly been effected from the petitioner and another co-accused, but the FSL report has not been received. At this stage, he confines his prayer to the release of the petitioner on interim bail for want of FSL report in terms of the judgment of Division Bench in the case of **Inderjit Singh @ Laddi Vs. State of Punjab, 2014 (3) RCR (Criminal) 953**, wherein it has been held that when the report of the chemical examiner is not received despite lapse of considerable time, the accused is entitled to the concession of interim bail.

Learned State counsel, upon instructions from SI Sharvan Kumar, states that FSL report is still awaited.

Heard through video conferencing.

The FIR was registered on 26.06.2020, the petitioner is in custody for over 05 months and the report of the chemical examiner has not yet been received. Therefore, in view of the law laid down by the Division Bench of this Court in the case of **Inderjit Singh @ Laddi (supra)**, I deem it appropriate to grant concession of interim bail to the petitioner till the receipt of the report of the chemical examiner.

Consequently, the petition is allowed. The petitioner is ordered to be released on interim bail, subject to the satisfaction of the trial Court/Illaq Magistrate.

However, this order shall remain in operation only till the receipt of the FSL report. The petitioner shall file an undertaking that on receipt of the report of chemical examiner, he shall surrender before the trial Court for further proceedings.

(ANUPINDER SINGH GREWAL)
JUDGE

07.12.2020.

SwamjitS

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