

CRM-M-40628-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40628-2020

Date of decision:11.12.2020

Sehajpal Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Kamal Narula, Advocate,
for the petitioner.

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

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

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

Through this petition, the petitioner seeks regular bail in case bearing FIR No.172 dated 21.08.2020, registered at Police Station City Kotkapura, District Faridkot, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 21.08.2020. 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 vs State of Punjab*, 2014 (3) RCR (Criminal) 953.

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Learned State counsel admits the fact that report of FSL is still awaited, but opposes the prayer made by the learned counsel for the petitioner.

I have heard the learned counsel for the parties.

A Division Bench of this Court in ***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 him furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, till the receipt of 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 the receipt 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.

11.12.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No