

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

**CRR No. 3350 of 2019
Date of decision: 17.01.2020**

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this revision petition is for setting aside the orders dated 26.11.2019 and 04.12.2019, passed by the Principal Magistrate, Juvenile Justice Board, Sangrur and the Sessions Judge, Sangrur, respectively, whereby the regular bail application of the petitioner was dismissed.

After arguing for some time, learned counsel for the petitioner restricts his prayer to the extent that since the report of the FSL is still awaited, the petitioner, being a juvenile, may be granted interim bail awaiting the report of FSL and has placed reliance upon ***Inderjeet Singh @ Laddi and others vs State of Punjab, 2014 (3) RCR (Criminal) 953*** in this regard. Learned counsel for the petitioner has further submitted that the petitioner is not involved in any other case.

Learned State counsel, on instructions from ASI Harchetan Singh and on the basis of the custody certificate filed today in Court, has not disputed the factual position but opposed the prayer for bail.

In the judgment of this Court in *Inderjeet Singh @ Laddi's case (supra)*, it has been held that awaiting the report of Chemical Examiner/FSL, the accused-petitioner can be granted interim bail till the receiving of such report.

Accordingly, this petition is allowed 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/Illaq Magistrate/Duty Magistrate/Principal Magistrate, Juvenile Justice Board, Sangrur, till receiving of the FSL report.

The petitioner shall submit an undertaking before the trial Court/Illaq Magistrate/Duty Magistrate 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.

17.01.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No