

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53903-2019
Date of decision:30.01.2020

Pankaj Piplani @ Sheru

... Petitioner

versus

State of Punjab

... Respondent

Coram: Hon'ble Mr. Justice Ashok Kumar Verma

Present: Mr. Lokesh Chander Aggarwal, Advocate,
for the petitioner.

Mr. S.S.Cheema, AAG, Punjab.

Ashok Kumar Verma, J.(Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.125 dated 02.10.2019, under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') registered at Police Station Basti Bawa Khel, Jalandhar (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner is in judicial custody since 02.10.2019 and the FSL report is still awaited and it will be a debatable issue whether the alleged recovery from the petitioner is in the category of non-commercial quantity. Counsel for the petitioner has relied upon the judgment of “**Inderjeet Singh @ Laddi and others vs State of Punjab**”, 2014(3) RCR (Criminal) 953 to contend that till the report of the FSL is received, the petitioner be released on interim bail.

Learned State counsel has not disputed the fact that the FSL report has not been received till date.

In view of the judgment of this Court wherein it has been held by this Court that awaiting the report of chemical Examiner/FSL, the petitioner can be granted interim bail till receiving of such report, the

petitioner is directed to be released on interim bail subject to his furnishing bail /surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, 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 report of FSL.

(ASHOK KUMAR VERMA)
JUDGE

30.01.2020

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Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No