

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1445 of 2021
Date of decision:25.02.2021

Keshav

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ankur Lal, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.335 dated 29.08.2020 registered under Section 20 of Narcotic Drugs and Psychotropic Substance Act, 1985 (hereinafter referred to as "1985 Act") at Police Station Adarsh Nagar, District Faridabad.

Learned counsel for the petitioner has submitted that petitioner is in custody since 29.08.2020. He has further submitted that FSL report has not yet been received by the prosecution agency. Counsel has relied upon the order dated 25.01.2021 (Annexure P-1) and order dated 16.02.2021 passed by this Court in CRM-M-2558 of 2021 and CRM-M-6110 of 2021, respectively, whereby co-accused were extended the benefit of interim bail on account of the fact that FSL report had not been received.

Learned State counsel upon instructions from SI Om Parkash does not refute the fact that FSL report has not been received so far. Thereupon, learned counsel for the petitioner has restricted his prayer made in the petition to interim bail till receipt of FSL Report.

In view of the fact that the FSL report in the case has not been received so far and in view of observations of this Court in Para No.54 of the judgment passed by a Division Bench of this Court in *Inderjeet Singh @ Laddi and others Vs. State of Punjab: 2014(3) RCR (Criminal) 953* but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of interim regular bail till receipt of FSL report. Therefore, the petition is allowed and the petitioner is ordered to be released on interim bail till receipt of FSL report on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned. On receipt of FSL report, the petitioner shall apply for regular bail before the trial Court which shall be at liberty to decide the same in accordance with law keeping in view the FSL report.

(SUVIR SEHGAL)
JUDGE

February 25, 2021
savita

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No