

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

CRM-M No.10380 of 2021 (O&M)
Date of Decision.10.03.2021

Sudhir @ Sonu

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Mahal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.200 dated 17.12.2020 under Sections 21, 22(b) of the NDPS Act, 1985 registered at Police Station Sadar Gurdaspur, District Gurdaspur.

Counsel for the petitioner herein would contend that the petitioner herein has been falsely implicated in the said matter and the mandatory provisions of the NDPS Act had not been adhered to. The petitioner is in custody since 17.12.2020 and nothing is to be recovered from the petitioner, therefore, custodial interrogation of the petitioner is no longer required. It is further argued that the FSL report is still awaited and therefore, the petitioner is entitled for grant of interim regular bail in view of the judgment rendered by upon judgment rendered in **Inderjeet Singh @ Laddi and others vs. State of Punjab, 2014(3) RCR (Criminal) 953.**

Per contra, learned counsel appearing on behalf of respondent-State opposes the grant of regular bail to the petitioner, however, does not

dispute the fact that FSL report is still awaited.

I have heard learned counsel for the parties.

In view of the judgment rendered in **Inderjeet Singh @ Laddi and others vs. State of Punjab** (supra) and that the petitioner herein has been in custody since 17.12.2020 and that FSL report is still awaited and the trial will commence only after receipt of the FSL report, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is disposed of and the petitioner is directed to be released on interim regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, till the FSL report is received. 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 receiving the FSL report. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

(JAISHREE THAKUR)
JUDGE

March 10, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No