

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No.10750 of 2021
Date of decision:15.03.2021**

Bhola Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sushil Kumar Verma, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.67, dated 24.06.2020 registered under Section 22C of Narcotic Drugs and Psychotropic Substance Act, 1985 at Police Station Rori, District Sirsa

Learned counsel for the petitioner has submitted that FSL report has not been received by the prosecution agency. He has referred to para 4 of the petition and submitted that the petitioner is not involved in any other criminal case. He has placed reliance on orders, Annexures P-2 to P-5 whereby co-accused have been released on interim bail on the ground of non-receipt of report from the Forensic Science Laboratory.

Learned State counsel upon instructions from ASI Bhupender Singh 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.

15.03.2021
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No