

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

Criminal Misc. M-35599 of 2020(O&M)

Date of Decision: February 03, 2021

Jitender Singh @ Jeetu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Kanwaljeet Singh Brar, Advocate
for the petitioner.

Mr.Dhruv Sheoran, DAG, Haryana.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of bail in case FIR No.241 dated 15.07.2020 under Section 22C of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Sadar Dabwali, District Sirsa.

The allegations against the petitioner are that on the intervening night of 14/15.07.2020, a police party headed by ASI Charanjit Singh intercepted his car bearing No.HR29AC/3747 and in the *dicky* (boot) of the car two plastic bags were recovered. On search 18000 capsules of Tramadol Hydrochloride Diclofenac Sodium, Dicyclomine Hydrochloride and Chlorpheniramine Maleate Capsules Parvorin – Spas Ridley bearing batch No.PAR 2003 were found. The petitioner failed to produce any permit or licence for keeping the recovered narcotic drugs.

Ld. counsel for the petitioner has contended that the

investigation of the case is complete and challan presented in the Court. But the FSL report has not yet been received and in the absence of the same, it cannot be ascertained as to whether the allegedly recovered substance falls under the category of NDPS Act or not. He relies on a decision of this Court in **"Inderjeet Singh @ Laddi and others vs State of Punjab", 2014 (3) RCR (Criminal) 953** to press that the petitioner be released on interim bail till the receipt of the FSL report.

In **Inderjeet Singh Laddi's** case it has been held that where the FSL report is delayed the accused may be released on interim bail.

However in the instant case it is not deemed appropriate to accept the prayer of the petitioner for grant of interim bail till receipt of FSL report considering the huge quantity of the recovery. Moreover, the recovery is not of some powder or capsules in loose form which cannot be identified. The recovery is of 18000 capsules of Parvon Spas. The recovered capsules carry a label. The composition/ ingredients thereof are also indicated on the label. The label also bears the name of the manufacturer and the batch number.

Accordingly, there is no merit in this petition and the same is dismissed at this stage.

February 03, 2021

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No