

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

225

CRM-M-36119-2020

Date of decision : 08.01.2021

Bhagwant Singh

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.125 dated 20.08.2020, under Sections 21, 61, 85 of the NDPS Act, 1985, registered at Police Station Buria, district Yamunanagar.

Learned counsel for the petitioner contends that he is confining the prayer in the instant petition to the release of the petitioner on interim bail for want of FSL report as although the FIR was registered on 20.08.2020 and the petitioner was arrested on that very day but the FSL report has not been received. He has relied upon the judgment of the Division Bench of this Court in the case of **Inderjit Singh @ Laddi Vs. State of Punjab, 2014 (3) RCR (Criminal) 953**, wherein it has been held that when the report of the chemical examiner is not received despite lapse of considerable time, the accused is entitled to the concession of interim bail.

Learned State counsel, upon instructions from SI Nirmal Singh, states that FSL report is still awaited.

Heard through video conferencing.

The FIR was registered on 20.08.2020, the petitioner is in custody for over 04 months and the report of the chemical examiner has not yet been received. Therefore, in view of the law laid down by the Division Bench of this Court in the case of **Inderjit Singh @ Laddi (supra)**, I deem it appropriate to grant concession of interim bail to the petitioner till the receipt of the report of the chemical examiner.

Consequently, the petition is allowed. The petitioner is ordered to be released on interim bail, subject to the satisfaction of the trial Court/Illaq Magistrate.

However, this order shall remain in operation only till the receipt of the FSL report. The petitioner shall file an undertaking that on receipt of the report of chemical examiner, he shall surrender before the trial Court for further proceedings.

(ANUPINDER SINGH GREWAL)
JUDGE

January 08, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No