

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 36655 of 2020

Date of Decision: 22.1.2021

Ram Naresh Rebari and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Singh Jattan, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioners seek regular bail in FIR No. 105 dated 03.9.2020 under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station City Nakodar, District Jalandhar.

Status report by way of affidavit of Deputy Superintendent of Police, Sub Division Nakodar, Jalandhar, filed in the Registry, is taken on record.

Learned counsel for the petitioners submits that the petitioners have been in judicial custody since 03.9.2020. He also submits that report of FSL is still awaited and co-accused, namely, Bhupinder Aajna has been granted interim bail by this Court vide order dated 03.11.2020 (Annexure P-2). He restricts his prayer to the extent that the petitioners may be released on interim bail till the report of FSL is received. In support of his contentions, he relies upon ***Inderjeet Singh @ Laddi and others versus***

State of Punjab, 2014(3) RCR (Criminal) 953.

Learned State counsel has admitted the fact that report of FSL is still awaited, but opposes the prayer made by the learned counsel for the petitioner.

I have heard learned counsel for the parties.

As per the status report, the chemical examiner report has not been received till date. A Division Bench of this Court in case of '***Inderjeet Singh @ Laddi's*** case (***supra***) has held that the accused-petitioner can be granted interim bail till the report of FSL is received.

Accordingly, the petitioners are ordered to be released on interim bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, till receiving of the FSL report. The petitioners shall submit an undertaking before the trial Court/Duty Magistrate along with their bail/surety bonds that they will surrender before the trial Court on receiving of the FSL report.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioners are found involved misusing the concession of bail, in any manner.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

January 22, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No