

Tejinder Singh @ Kinda

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Ranjodh Singh Sidhu, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.81 dated 29.06.2021, registered under Sections 22(B) NDPS Act, 1985 at Police Station Jhabal, District Tarn Taran.

[2] Learned counsel contends that instead of pressing the petition for regular bail, pending trial, the claim of the petitioner for grant of interim bail till receipt of the FSL report be considered as the FSL report has not been received till date and the petitioner is in custody since 29.06.2021.

[3] Learned State Counsel on instructions from *ASI Sarabjit Singh* confirms that the petitioner is behind bars since 29.06.2021 and that the report from FSL has not been received, till date.

[4] Learned counsel relies upon the decision of Hon'ble the Division Bench of this Court in '**Inderjeet Singh @ Laddi and others** versus **State of Punjab**', 2014(3) RCR (Criminal) 953 in support of the

plea that on account of non-receipt of FSL report, the petitioner is entitled to be released on interim bail. Learned AAG does not dispute applicability of decision of Hon'ble the Division Bench of this Court in '**Inderjeet Singh @ Laddi and others** versus **State of Punjab**', 2014(3) RCR (Criminal) 953.

[5] Accordingly, in the light of the position noted above and keeping in view the decision of Hon'ble the Division Bench of this Court in '**Inderjeet Singh @ Laddi's case** (supra), the petition is *disposed of* by directing the release of the petitioner on interim bail, subject to the satisfaction of the learned trial Court/Duty Magistrate/Illaq Magistrate, concerned, till the receipt of the report of the FSL. It is clarified that the interim bail will come to an end automatically on the receipt of the report of the FSL by the learned trial Court and further continuation of bail would be subject to the report received and orders to be passed in respect thereto by the learned trial Court.

[6] Petition disposed of with the aforementioned directions.

(B.S. Walia)
Judge

12.10.2021

'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>