

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-46625-2021

Date of Decision: 1.12.2021

Kulwinder Singh alias Gaddo

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Shranav Katyal, Advocate, for
Mr. Kamalpreet Bawa, Advocate,
for the petitioner.

Mr. A.S.Dhaliwal, DAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.176 dated 13.9.2021 registered for the offences punishable under Sections 22 of NDPS Act at Police Station Nihal Singh Wala, District Moga.

Counsel for the petitioner at the outset submits that the petitioner was arrested in this case on 13.9.2021 and till date, neither challan has been presented nor report of FSL has been received. He made prayer for grant of interim bail in light of law laid down by Division Bench of this Court in **Inderjeet Singh @ Laddi and others v. State of Punjab;** 2014 (3) RCR (Criminal) 953.

Learned State counsel, on instructions from ASI Amarjit Singh, admitted the fact that the petitioner was arrested in this case on 13.9.2021 and till date, investigation has not been completed and report of FSL is still

possession of the petitioner.

As per custody certificate, no other criminal case is pending against the petitioner. In view of the fact that the petitioner was arrested on 13.9.2021 and that FSL report in the case has not been received so far and in view of judgment passed by Division Bench of this Court in Inderjeet Singh @ Laddi's case (supra), I am of the considered view that the petitioner deserves the concession of interim bail till receipt of FSL report.

Accordingly, the present petition is disposed of 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 Chief Judicial Magistrate/Duty Magistrate concerned. However, this order shall remain in operation only till the receipt of FSL report. The petitioner shall file an undertaking before the Court concerned that on receipt of FSL report, he shall surrender before the trial Court and seek regular bail in accordance with law on the basis of said FSL report. It is further clarified that nothing recorded above have any bearing on the merits of the case.

December 1, 2021

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No