

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.1805 of 2022

Date of Decision:20.01.2022

(Heard through VC)

Sunil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parminder Singh, Advocate
for the petitioner.

Mr. R.K. Singla, DAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.379 dated 01.10.2021 registered under Sections 18, 25 of the NDPS Act at Police Station Nissing, District Karnal.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the present case. It is contended that there is alleged recovery of 500 grams of opium from the petitioner. Moreover, FSL report is still awaited and till such time the FSL report is not being received, the petitioner should be enlarged on interim bail. In support of his arguments, counsel for the petitioner relies upon judgment rendered in *Inderjeet Singh @ Laddi and others vs. State of Punjab, 2014(3) RCR (Criminal) 953*.

Per contra, learned counsel appearing on behalf of respondent-State opposes the grant of bail to the petitioner, however, does not dispute

the fact that FSL report is still awaited.

I have heard learned counsel for the parties.

In view of the judgment rendered in *Inderjeet Singh @ Laddi's case* (supra) and the facts that the petitioner herein has been in custody since 01.10.2021 and FSL report is still awaited and the trial will commence only after receipt of the FSL report, no useful purpose would be served in keeping the petitioner behind bars.

At this stage, without commenting on the merits of the case, the instant petition is disposed of and the petitioner is directed to be released on interim bail on execution of adequate personal and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate, till the FSL report is received. The petitioner shall submit an undertaking before the trial court/Duty Magistrate along with his bail/surety bonds that he will surrender before the trial Court on receipt of notice regarding receipt of the FSL report. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

January 20, 2022
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No