

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

CRM-M No.7795 of 2022 (O&M)

Date of Decision.28.02.2022

Rachhpal Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.110 dated 19.11.2021 registered under Sections 22-C, 61, 85 of the NDPS Act at Police Station Badali Ala Singh, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that the petitioner herein was apprehended on 19.11.2021 along with co-accused Jagjit Singh and 1800 intoxicant tablets and 12 bottles of chlorpheniramine maleate and codeine phosphate syrup mahrex were alleged to be recovered from them. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that FSL report is still awaited and till such time the FSL report is not being received, the petitioner is entitled to 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 regular 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 and others vs. State of Punjab** (supra) and that the petitioner herein has been in custody since 19.11.2021 and that 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 regular bail on execution of adequate personal/surety bond 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 receiving 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.

(JAISHREE THAKUR)
JUDGE

February 28, 2022
Pankaj*

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