

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRR No.1594 of 2022 (O&M)

Date of Decision: 3rd August, 2022

Mangilal Pareta @ Vinod

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. A. S. Shera, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

This petition is filed against order dated 27.7.2022 passed by the trial court whereby application under Section 167(2) Cr.P.C. filed by the petitioner in FIR No. 277 dated 23.4.2022 under Section 18 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (Sections 22 and 29 of the Act added later on), registered at Police Station Sadar Thanesar has been disposed off.

The issue in the present petition is that in case of filing of the challan without FSL report tantamounts to filing incomplete challan. The issue was referred to a Division Bench and interim bail were granted in those cases.

Learned counsel for the petitioner relies upon decision of this court in *Suresh v. State of Haryana, CRR No. 1135 of 2020*, decided on 18.11.2020.

Learned counsel for the State opposes the prayer but is not in a position to dispute the fact that the challan was presented without FSL.

The operative part of order in case of *Suresh's case (supra)* is quoted below:

“Taking into account all the above circumstances, the Criminal Revision Petition is allowed at this stage and the petitioner is permitted to be conditionally released on bail to

*the satisfaction of Ld. Trial Court concerned. It is however clarified that in case of any different result coming forth from that in the decision in **Ajit Singh alias Jeeta's case (supra)**, the State would be at liberty to seek cancellation/modification of this order, if warranted at that stage.”*

The present petition is disposed of in the same terms as in CRR No. 1135 of 2020.

Since the main case has been disposed of, pending applications, if any are rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

3rd August, 2022
mk

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |