

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-41565-2022

Date of Decision: 22.11.2022

Satish

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Ms. Jasneet Mehra, Advocate for
Mr. Amrinder Singh, Advocate for the petitioner.

Mr. Munish Sharma, Assistant Advocate General, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

Reply dated 04.11.2022, filed by way of affidavit of Sh. Satya Pal, Assistant Commissioner of Police (Central), Faridabad, on behalf of respondent-State, is taken on record.

Through the instant petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Satish, in case FIR No. 159 dated 05.06.2022 registered under Section 22(c) of the NDPS Act at Police Station B.P.T.P., District Faridabad.

According to the prosecution, the petitioner was apprehended with conscious possession of 11 vials of Buprenorphine Injection IP Leegesic 2 ML each and the total quantity comes to 22 ML which falls under the category of “commercial quantity”.

Learned counsel for the petitioner *inter alia* contends that

FSL report has not yet been received. Therefore, it cannot be said at this stage that the alleged recovery was a narcotic substance.

Learned State counsel has fairly conceded that the FSL report has not been received, so far.

In view of above, but without expressing any opinion on the merits of the case, the petitioner is granted interim bail, subject to his furnishing bail/surety bonds, to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned only till receipt of the FSL report.

The petitioner shall surrender before the trial Court, after the receipt of FSL report.

The petition stands disposed of accordingly.

November 22, 2022
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No