

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

CRM-M-44148-2022

Date of decision : 28.09.2022

Jagdeep Singh @ Jagga

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Kuldeep S. Siwach, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. Advocate General, Haryana
for the respondent.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.387 dated 23rd of July, 2022 registered for the offences punishable under Sections 21(b), 27-A (Act No.61) of the Narcotic Durgs and Psychotropic Substances Act, 1985 at Police Station City Fatehabad, District Fatehabad.

2. Custody Certificate of the petitioner has been filed on behalf of the State today in Court. The same is taken on record.

3. Ld. Counsel for the petitioner submits that it is a case wherein alleged recovery of heroin weighing 52.40 gram is said to have been made from the person of the petitioner. The petitioner is in custody for more than 2 months. He submits that FSL Report has not been received thus, Challan cannot be said to be complete. He further submits that the time completion

thereof keeping in view non-commercial quantity will be 60 days. He relies upon the orders passed by this Court in **CRM-N No.38118 of 2022** titled as **Aadish Kumar @ Jony vs. State of Haryana** and **CRR-3296-2019** titled as **Raju Singh vs. State of Punjab**. He further relies upon the orders passed by Chattisgarh High Court and Orissa High Court in **CRMP No.465 of 2021** titled as **Vinay Dubey and ors. vs. State of Chhatisgarh** and **BLAPL No.9135 of 2021** titled as **Biru Singh vs. State of Odisha**, respectively.

4. Ld. State Counsel is not in position to dispute the aforesaid factual assertions.

5. In view of the fact that the Challan is not complete in the absence of FSL Report and reasonable time has already expired, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

September 28, 2022
Dpr

(PANKAJ JAIN)
JUDGE

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