

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 14541 of 2024 (O&M)
Date of Decision: 02.04.2024

Happy Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Chahat Goyal, Advocate
for the petitioner.

Mr. Kewal Singh, Additional Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.9 dated 11.02.2024, under Section 22 of NDPS Act, 1985, registered at Police Station Longowal, District Sangrur, wherein the petitioner has been implicated against the alleged recovery of 100 loose tablets.

[2] Learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioner while referring to the recovery involved herein, however, submits that report of the FSL is still awaited.

[3] I have heard learned counsel for the parties and gone through the paper-book.

[4] On a specific pointed out query, learned State Counsel, on instructions from the quarter concerned, has not been able to point out as to whether 100 loose tablets were weighed at the time of recovery or not.

Though, as a matter of fact, the alleged material has been sent to the FSL and the report is still awaited; thus in the absence of there being any weight of the alleged recovery of 100 loose tablets and the report of FSL being awaited, the petitioner is ordered to be released on interim bail in view of law laid down by this Court in case “***Inderjeet Singh @ Laddi Versus State of Punjab***, reported as ***2014 (3) RCR (Crl.) 950***, till the FSL report is received, on his furnishing adequate bail/surety bonds to the satisfaction of the Trial Court / Illaqa Magistrate / Duty Magistrate concerned. The petitioner shall surrender before the trial Court concerned after receipt of FSL report.

[5] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

[6] Pending miscellaneous application(s), if any, shall also disposed off.

April 02, 2024

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(HARKESH MANUJA)

JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No