

**IN THE COURT OF TARNTARAN SINGH BINDRA,
JUDGE SPECIAL COURT, LUDHIANA.
UID NO.PB-0199**

Bail Application No.17841 dated 11.12.2018
CIS No.BA/17841/2018
Date of Order: 21.12.2018

State Vs Parveen Kumar, aged 32 years son of
Sh. Tarsem Lal, resident of 13, Link Road,
Mandi Mullanpur, Dakha, Ludhiana.

.....Applicant/Accused.

FIR No. 141 dated 25.11.2018
under section 22/25/61/85 of NDPS Act.
Police Station: Sudhar, Ludhiana.

Bail application under Section 439 Cr.P.C.

Present: Sh. Balraj Singh Bhatti, Advocate,counsel for
applicant/accused.
Ms. Ramandeep Kaur Gill, Addl.P.P for the State.

ORDER

1. The brief facts of the case, which require consideration for disposal of the present bail application are that FIR in question was registered against the accused/applicant with the allegations that on 25-11-2018, he was found in illegal possession of 09 intoxicating powder.
2. I have heard the Ld. Counsel for the applicant and Ld. Addl.P.P for the State.
3. Un-disputedly, the accused/applicant is in custody since 25.11.2018 and recovery of contraband has already been effected from him. No other FIR has been reported by the prosecution to be registered against accused / applicant. Although sample drawn from contraband has been sent to the chemical examiner for analysis, but the report has yet not been received. Hon'ble Punjab

and Haryana High Court in its judgment reported as **2014(3) RCR(Crl.) 953**, in case of **Inderjit Singh @ Laddi and others vs. State of Punjab**, has held that when there is delay in receipt of report from FSL, the accused becomes entitled for his release on interim bail till the report is finally received.

4. In view of the law laid down by the Hon'ble High Court in judgment reported as **2014(3) RCR(Crl.) 953(supra)**, as report from the Chemical Examiner has not been received in this case, therefore, the accused/applicant is ordered to be released on interim bail, which shall be subject to result in report from the Chemical Examiner. Hence, the accused/applicant is ordered to be released on interim bail on his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount. Accordingly, the present bail application is allowed. File be consigned to record room.

Pronounced in Open Court
21.12.2018

Vijay Kumar Steno-I

Sd/-
Tarntaran Singh Bindra,
Judge Special Court,
Ludhiana, UID No.PB-0199