

**In the court of Mrs. Anjana, Judge, Special Court, Hoshiarpur
UID No. PB0448**

CIS No. BA: 3027 of 2024
CNR No. PBHO0100 8874 2024
Date of Decision: 22.10.2024

Sunil Kumar @ Maghi aged 26 years son of Lal Chand r/o House No. 256,
Mohalla Balmiki Ghanta Ghar, PS City, Hoshiarpur.

....Applicant/Accused.

vs.

State of Punjab

.... Respondent

FIR No.217 dated 30.06.2024
U/S 22, 29 of NDPS Act.
PS: City, District Hoshiarpur

First application for regular bail

Present: Ms. Rupika Thakur, Dy. Chief LADC for applicant/accused
Sh. Charanjit Singh Addl. PP for State

ORDER

This order of mine shall dispose of the present bail application
filed by above referred applicant under section 439 Cr. PC in above said
FIR.

2. In pursuance of the notice of the bail application having been
issued learned Addl. PP for the State, has put in appearance. Record has been
produced.

3. The learned counsel for the applicant/accused has vehemently
contended that the accused/applicant is in judicial custody since 30.06.2024.
Report of chemical examiner has been received and alleged recovery falls
under non commercial quantity. Presentation of challan will take time and no

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useful purpose would be served by detaining the applicant/accused further behind the bars. Lastly, prayer has been made for acceptance of the bail application.

4. On the other hand, learned Addl. PP for the State has opposed the bail application and prayer has been made for dismissal of the same.

5. After hearing the respective contentions of both the sides and having gone through the record carefully, I have of this considered view that the contentions raised by the learned counsel for the accused/applicant are found to be merits acceptance. From the perusal of record in the instant case, on 30.06.2024 from the possession of applicant/accused Sunil Kumar, 55 grams intoxicant substance was recovered. Report of FSL has been received and lying on police record and the recovery effected from applicant/accused falls under non commercial quantity. The challan is yet to be presented and thereafter trial will take time. Therefore, no useful purpose would be served by detaining the accused/applicant in judicial custody for indefinite period. As such, the present bail application stands allowed and the accused/applicant is ordered to be released on bail, on his furnishing personal bond in the sum of Rs.50,000/- with one surety in the like amount, to the satisfaction of Illaqa Magistrate/Duty Magistrate, with the conditions that applicant shall appear in the court on each and every date of hearing, applicant shall not leave the country without prior permission of the court subject to the conditions that accused/applicant will appear in Court on each and every date of hearing and will not leave the country without prior

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permission of the Court. The Illaqa Magistrate/Duty Magistrate is directed to send the bail/surety bonds furnished by applicant/accused to this court. Copy of this order be sent to Illaqa Magistrate. Police record be returned. Papers be attached with the remand papers.

Pronounced.
22.10.2024
baljinder

(Anjana),
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Sunil Kumar vs State

Present: Ms. Rupika Thakur, Dy. Chief LADC for applicant/accused
Sh. Charanjit Singh Addl. PP for State

Police record produced. Arguments heard. Vide my separate order of even date, the present bail application stands allowed. Police record be returned. Record of this bail application be annexed with the remand papers.

Pronounced.
22.10.2024
baljinder

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