

**IN THE COURT OF MS. SMRITI DHIR, VACATION JUDGE-
CUM-JUDGE SPECIAL COURT, SANGRUR
(Unique Identification Number PB-0518)**

Regn. No.1859/2021.
CNR No. PBSG01-006026-2021
Date of Order 10.06.2021

State of Punjab

Versus

Malkit Singh aged about 33 years son of Bali Singh resident of Ram
Nagar Basti, Sangrur, now confined in Central Jail, Patiala.

.....Applicant-Accused.

FIR No.79 dated 12.05.2021,
Under Sections 22/29/61/85 of the NDPS Act.
P. S. City-1 Sangrur.

Application for Regular Bail

Present : Sh. Rajinder Sharma, Advocate, Ld. counsel for the
applicant-accused.
Sh. Mohd. Hasib, Ld. Addl. P. P. for the State.

ORDER :

1. File put up before me during Summer Vacation being
Vacation Judge.

The bail applicant has filed for grant of regular bail in
case FIR No.79 dated 12.05.2021, under Section 22/29/61/85 of NDPS
Act registered at P.S. City-1 Sangrur.

(Smriti Dhir)
Vacation Judge-cum-JSC, Sangrur.
UID No. PB0518, dated 10.06.2021

2. Notice of the bail application was given to the Ld. Addl. Public Prosecutor for the State and police record has also been requisitioned.

3. I have heard learned counsel for the applicant-accused and learned Addl. Public Prosecutor for the State and have gone through the record very carefully.

4. It has been contended by learned counsel for the applicant-accused that the applicant-accused is an innocent person and has been falsely implicated in the present case. The applicant-accused is in judicial custody since 12.05.2021. The report of Chemical Examiner/FSL is yet to be received and may take long time. The presentation of challan and conclusion of trial will take considerable long time. No useful purpose would be served by keeping the applicant-accused under incarceration. A prayer has been made for allowing the bail application.

5. On the other hand Learned Addl. Public Prosecutor on the instruction of the IO has stated that no other FIR has been registered against the applicant-accused. The recovery does not fall under the ambit of commercial quantity.

6. Heard. Record perused. As per the prosecution version unfurled from the FIR, it was got registered against the applicant Malkit Singh on the basis of secret information that Malkit Singh is indulged in selling of intoxicant tablets. Today he is standing under brutte tree near over bridge, Ubhawal Road, Sangrur for waiting of customers and his wife Rajo has provided the intoxicant tablets to the applicant Malkit Singh for the purpose of selling. If raid be conducted then Malkit Singh can be apprehended with intoxicant tablets. Finding the information credible, ruqa was sent to the police Station for the registration of FIR.

7. From the perusal of record it transpires that 220 tablets of Celcidal-100 SR having salt Tramadol Hydrochloride were recovered at the time of apprehension of accused Malkit Singh. The recovery has been effected in this case is intermediate in quantity. The applicant-accused is in judicial custody since 12.05.2021. No other FIR has been registered against him. The presentation of the challan and conclusion of the trial will take considerable long time. No useful purpose would be served if applicant-accused remained under incarceration. Accordingly, bail application is allowed and the accused-applicant is admitted to bail on his furnishing bail bonds in the sum of Rs.50,000/- with one local surety in the like amount, to

the satisfaction of Illaqa/Duty Magistrate, if he is not required in any other case. Learned Illaqa/ Duty Magistrate accepting and attesting the bail bonds, shall ensure that the provision of Section 441-A of Cr.P.C are complied with, subject to the following conditions:

1-That he shall not directly, or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer.

2- That he shall not leave the country without prior permission of the Court.

3- That he shall appear before the Court on each and every date.

Anything stated herein-before will not be construed as opinion on the merits of the case.

Police record returned.

File be sent to the concerned Court to be tagged with the remand papers.

Pronounced in Open Court:

Dated : 10.06.2021

(Smriti Dhir)
Vacation Judge-cum-Judge
Special Court, Sangrur.
(UID No. PB0518)

Jagparvesh Stenographer Gr-II

(Smriti Dhir)
Vacation Judge-cum-JSC, Sangrur.
UID No. PB0518, dated 10.06.2021