

**IN THE COURT OF SARBJIT SINGH DHALIWAL
JUDGE, SPECIAL COURT, JALANDHAR (UID No. PB0070)**

C.I.S. No.	BA-2739-2021
C.N.R. No.	PBJL01-006547-2021
Date of Institution	28.06.2021
Date of Order	02.07.2021

Varinder Singh @ Laddi aged 34 years son of Sh. Gurdawar Singh,
resident of Village and Post Pffice Nangal Shama, District Jalandhar.

..... Accused-applicant.

VERSUS

State of Punjab

FIR No. 0126 dated 22.05.2021
U/ss 15/61/85 of NDPS Act
P. S. Division no. 8, Jalandhar.

Bail Application U/s 439 Criminal Procedure Code

Present: Sh. B.P.Ralh, Advocate for the applicant
Sh. Anil Kumar Gill Addl. PP for the State.

ORDER:

1. SI Nirmal Singh No. 215 is present along with record pertaining to the bail application. Arguments heard. During course of arguments learned Addl. PP for the State has submitted that on 25.05.2021, when ASI Jaswinder Singh, CIA Staff, Jalandhar along with his police party was present at Reru Chowk, Jalandhar, Pathankot Highway, then, one truck bearing registration no. PB07-S-9785 was stopped on suspicion. The truck was being driven by a Hindu gentleman and on conductor seat, one person wearing dress of Nihang was sitting. The said person who was wearing Nihang like dress disclosed his name as Rajbir Singh and the driver disclosed his name as Varinder Singh @ Laddi. Along with diesel tank, one chamber was attached by welding and from the said chamber, two plastic bags containing poppy husk were

taken out. On weighing from the first bag, 15 kilograms of poppy husk and from the second bag, 10 kilograms of poppy husk was recovered. The recovery was effected on 22.05.2021.

2. Though, samples were taken and sent to the Chemical Examiner but report of Chemical Examiner is still awaited. So, without the report of Chemical Examiner, it is difficult to say that recovered intoxicant was poppy husk. No doubt, less than 50 kilograms of poppy husk falls in the category of non-commercial quantity but without report, it is difficult to say about the nature of the recovered quantity. Whereas, the applicant is in custody since 22.05.2021 and it will take long time for the prosecution to get the report and then to present the challan. No useful purpose will be served by unnecessarily detaining the accused in custody for indefinite period. So, instead of regular bail, accused-applicant is granted relief of interim bail on his furnishing bail bonds in the sum of ₹1 lac with two sureties in the like amount on his giving further undertaking in the form of affidavit that in case the recovered quantity is found to be covered under commercial quantity, then, he will not agitate and have no objection, in case, the relief of bail allowed to him is withdrawn and is taken in custody.

3. In case, recovered quantity is found to be covered under commercial quantity, then, relief of interim bail given to him will be withdrawn and he will be taken in custody. File be consigned to record room.

Pronounced in open Court:
Dated: 02.07.2021
Sushma JW*

(Sarbjit Singh Dhaliwal)
Judge, Special Court, Jalandhar
(UID No. PB0070)