

**IN THE COURT OF JASWINDER SHEEMAR,  
JUDGE SPECIAL COURT, HOSHIARPUR. (UID NO.PB-0093).**

BA No.2759 of 2023  
CNR No:PBHO01008658-2023  
Decided on:- 13.10.2023

1. Sanju, aged 17 years son of Vijay Kumar, resident of Chandigarh Colony Tanda, Police Station Tanda, District Hoshiarpur
2. Sahil, aged 17 years son of Surjit, resident of near Railway Fatak, Phillaur, Police Station Phillaur, District Jalandhar, at present resident of c/o Krishna wife of Mangu, near Lucky Cinema, Tana, Police Station Tanda, District Hoshiarpur (date of birth 26.11.2005)

.....Bail Applicant.

Versus

State of Punjab.

.....Respondent.

**FIR No.248 dated 31.08.2023  
Under Section 22/29/61/85 of NDPS Act  
Police Station Model Tanda, District Hoshiarpur**

**First Bail Application Under Section 439 Cr.P.C.**

Present: ShriR.S. Abhi, Advocate, for bail-applicants  
Shri Inderjot Singh, Ld. Addl. PP for the State.

**ORDER:**

This is a **first** bail application filed on behalf of **bail applicants** in the above referred FIR case.

2. **Notice** of bail application was issued to the State through Learned Additional Public Prosecutor of the State, who put in appearance and contested the bail application.

3. Report of Ahlmad has also received, vide which it is reported that no other bail application is pending or decided as per the website of Hon'ble High Court of Punjab & Haryana, Chandigarh.

Jaswinder Sheemar,  
Judge, Special Court,  
Hoshiarpur UID No.PB-0093.

4 The police record was requisitioned and perused.

5. I have heard Investigation Officer of this case on behalf of State and Ld. Counsel for bail-applicant and have gone through the police record.

6. From the record, it comes out to surface that on **31.08.2023** police party while on patrol duty, in order to search for miscreants were holding barricade at Chandigarh Colony, T-Point Tanda, where **Sahil(bail applicant)** while driving Aactiva scooter, on the pillion seat of which **Sanju(bail applicant)** were intercepted on the basis of suspicion and the glazed enveloped dropped by **Sanju(bail applicant)** pillion rider on the scootery was found containing **350 gms** of intoxicant powder.

9. From the record, it is evident that both the **bail applicants** were arrested on **31.08.2023**. In this case recovery of **350 grams of intoxicant powder** was recovered from the glazed envelope dropped by **Sanju (bail-applicant) from Aactiva Scooter driven by accused Sahil (bail applicant)**. The report of Forensic Science Laboratory, has not been received, so as to decipher as to exact salt of contraband, in order to quantify it either in the category of non-commercial or commercial quantity. Therefore, at this stage, this Court is unable to say definitely as to the quantity of the salt, to keep either in the category of commercial or non-commercial. The **bail-applicants** are in custody since **31.08.2023**. Therefore, till the receipt of FSL report, I deem it proper to grant **interim bail** to bail-applicants, on their furnishing bail bonds/surety bonds in the sum of **Rs.50,000/-** with one surety of the like amount to the satisfaction of **Ilaqa Magistrate/ Duty Magistrate**, with following conditions:

A) That on the receipt of Forensic Science Laboratory report, if the quantity of contraband is found to be commercial in nature, in that event, the

**bail-applicants shall surrender in the Court within the period of 15 days. In case, bail-applicants fail to surrender within the stipulated period in the Court, in that event, the interim bail order shall cease to have effect.**

8. The observations made by undersigned vide this order will have no reflection on merits.

9. Bail application file be consigned to the Judicial Record Room, Hoshiarpur, on its completion.

Pronounced in open Court:  
Dated: 13.10.2023.  
'Rajbir Singh JW. Gr.II'

**(Jaswinder Sheemar),**  
Judge, Special Court, Hoshiarpur  
(UID No.PB-0093).