

**IN THE COURT OF JATINDER PAL SINGH,
JUDGE, SPECIAL COURT,
BATHINDA.**

CIS No. BA-3338-2026

CNR No : PBBT01-009158-2026

Order dated : 11.08.2026

State Versus

Sanjay Kumar son of Jagdish Kumar resident of
House No. 605, Street No. 1, Pakka Dhobiana,
Dhobiana Nagar, District Bathinda.

..... Applicant.

FIR No. 175 dated 06.07.2026

Under Sections : 21(b)/27/29 of NDPS Act

Police Station Civil Lines, District Bathinda.

Bail application under Section 483 of BNSS.

Present: Sh. Kawaldeep Singh, Advocate for the applicant.

Sh. Diajit Singh Sra, Addl. PP for the State.

ORDER:

1. The above named applicant Sanjay Kumar has filed this application seeking regular bail under section 483 of BNSS, 2023. Statement of ASI Sukhdarshan Kumar has been recorded.

2. Upon notice, learned Addl. PP appeared for the State and verbally contested present bail application by submitting that the applicant has committed a heinous offence, so, this bail application may be dismissed.

3. I have heard learned counsel for the applicant/accused as well as learned Addl. PP for the State and have perused the record.

4. The prosecution version, in nut-shell, is that on 06.07.2026, accused along with other co-accused was apprehended while in possession of 20.24 grams of heroin, without any valid permit or licence. After dope test of applicant/accused, offence U/s 27 of NDPS Act was added in this case vide DDR No. 31 dated 07.07.2026.

5. The report of Chemical Examiner is yet to be received. The Hon'ble Punjab and Haryana High Court has observed in **Inderjit Singh @ Laddy versus State of Punjab** (2014(3)-RCR (Criminal)-page 952) that if matter is being unnecessarily delayed due to non-receipt of FSL Report, Special Court may release applicant-accused on interim bail, till receipt of report of chemical examiner.

(Jatinder Pal Singh),
Judge, Special Court/Bathinda
UID No. PB-0263.

6. In the absence of FSL report, it cannot be ascertained, if the recovered substance falls within the schedule of NDPS Act or not and if the same is covered under NDPS Act, whether the recovery falls within the ambit of commercial or non-commercial category.

7. The applicant is behind bars since 06.07.2026. Receipt of report of FSL and presentation of challan likely to take considerable time, so no useful purpose would be served by detaining applicant for an indefinite period. Consequently, without expressing any opinion upon merits of case, in the light of above discussed law, applicant-accused is ordered to be released on **interim bail** till the receipt of report of FSL, on furnishing of personal bond in the sum of Rs.50,000/- with one surety of like amount to the satisfaction of Area/Duty Magistrate, subject to following conditions:

- a. That applicant will not tamper with prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any person acquainted with facts of case, dissuading him from disclosing same to court/investigating agency;
- b. That accused/applicant will not leave the limits of India without prior permission of the court; and
- c. That accused/applicant will appear on each and every date of hearing, subject to the order of exemption, otherwise, trial court is at liberty to cancel the bail order.

8. It is hereby made clear that on receipt of report of Chemical Examiner, in case the salt of the recovered contraband, is found to be falling within the ambit of commercial quantity, then this bail order would stand cancelled automatically and the applicant/accused would surrender before the Court, without any delay.

9. The Ahlmad concerned is directed to forward the copy of this order to the court concerned for necessary compliance.

10. Ahlmad is also directed to send copy of this order through e-mail to the Superintendent, Central Jail, Bathinda, forthwith, for necessary information as well as conveying the same to the bail applicant.

11. Papers be annexed with the remand papers/main trial case file. Police record be returned forthwith.

Pronounced in the open Court:
Date of Order : 11.08.2026
Ishika

(Jatinder Pal Singh)
Judge Special Court/Bathinda
(UID No.PB-0263)

(Jatinder Pal Singh),
Judge, Special Court/Bathinda
UID No. PB-0263.