

In the Court of Dr. Mandeep Mittal, Judge Special Court, Hoshiarpur.
(UID No. PB-0216)

CIS No. BA/2939/2025
CNR No: PBHO010087072025
Date of Institution: 28.10.2025
Date of order: 31.10.2025

Sukhpal Singh aged about 43 years son of Harjinder Singh, resident of Village Moranwali, Tehsil Garhshankar, District Hoshiarpur.

...Applicant/accused

Versus

State of Punjab

..Respondent

FIR No. 147 dated 20.09.2025
U/S 22-61-85 NDPS Act
Police Station: Garhshankar, Hoshiarpur.

First application for grant of regular bail under Section 483 BNSS

Present: Sh. Pankaj Bedi, Adv., Ld. Counsel for the applicant-accused.
Sh. Rajneesh Salaria, Ld. Addl. PP for the State.

ORDER

1. Heard on the bail application dated 24.10.2025 through learned counsel on the basis of power of attorney executed by the accused/applicant namely Sukhpal Singh alongwith **affidavit of Hunny Kumar, the relative of the applicant-accused.**

2. Notice of the bail application was issued to the State through Ld. Addl. PP, who put in appearance and contested bail application. He didn't file any reply to the bail application rather submitted that he will orally argue the matter. The police record was requisitioned and produced and the statement of ASI Raj Kumar recorded.

Dr. Mandeep Mittal
Judge, Special Court
Hoshiarpur.

3. I have heard Ld. Addl. PP for the State and Ld. Counsel for bail-applicant and have gone through the police record.

4. From material placed on record, it comes out to surface that the accused Sukhpal Singh was apprehended on 20.09.2025 with 30 intoxicant tablets. After completing the necessary formalities, the FIR was registered.

5. Having traversed through the fundamental aspects relevant for the determination of the application at hand, the Court is aware of judgment passed by Hon'ble the Punjab and Haryana High Court titled as '**Inderjeet Singh @ Laadi and others versus State of Punjab**' 2014 (3) RCR (Criminal) 953, in which it has been held that the Presiding Officer of Special Court dealing with the NDPS Act cases, whenever need is felt and where the matter is being unnecessarily delayed, may grant interim bail till the receipt of the Chemical Examiner report and thereafter, may consider the case after the receipt of report. This citation has been further relied upon by the Hon'ble Punjab and Haryana High Court in **Sarabjit Singh alias Sonu Vs. State of Punjab** decided on 13.01.2021.

6. The bail-applicant was arrested on 20.09.2025 and since then he is in custody. No other FIR is there against him as per statement of ASI Raj Kumar. 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 determine definitely as to the quantity of the salt, to keep either in the category of commercial or non-commercial. Therefore, till the receipt of FSL report, this Court deems it proper to grant interim bail to bail-

applicant on his furnishing bail bonds/surety bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate with the following conditions:

- a) That accused shall attend the Court on each and every date of hearing;
- b) That accused shall not commit an offence similar to the offence of which he/she is accused, or suspected, of the commission of which he/she is suspected;
- c) That accused shall not directly or indirectly make an inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence; and
- d) That accused shall not leave the country without prior permission of Court.

7. It is further stipulated 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-applicant shall surrender in the Court within the period of 15 days. In case, bail-applicant fails to surrender within the stipulated period in the Court, in that event, the interim bail order shall cease to have effect. The observation made by undersigned vide this order shall not be deemed to have reflection of mind on merits. Bail application file be attached with the main case file.

Pronounced in open court:

Dated 31.10.2025

Dinesh Singh, JW (SG)

(Dr. Mandeep Mittal)
Judge Special Court,
Hoshiarpur
UID No. PB0216