

**IN THE COURT OF SH. SANDEEP SINGH JOSSAN
(PB0150), JUDGE SPECIAL COURT, HOSHIARPUR**

**B.A. No. 2951/2021
CNR No. PBHO010083982021
Decided on: 15.12.2021**

State of Punjab

Versus

Jaswinder Singh @ Binder age about 30 years, son of Surinderpal Singh @ Kala, r/o Adamwal, Tehsil and District Hoshiarpur.

FIR No. 231, dated 2.11.2021,
U/s 22/61/85 of N.D.P.S. Act,
P.S. City, Hoshiarpur.

Present: Sh.Ajay Goyal, cl for the accused.
Addl. PP for the State.

ORDER

1. This order of mine shall disposed of application filed by the petitioner for grant of interim bail in case F.I.R. No. 231, dated 2.11.2021, u/s 22/61/85 of N.D.P.S. Act, P.S. City, Hoshiarpur.

Story of the prosecution is that accused/ applicant was found in possession of 95 gram intoxicant powder, when he was apprehended on the basis of suspicion police. As such, FIR was registered.

2. Learned counsel for the accused submitted that accused/ applicant is innocent and has committed no offence and false recovery has been planted upon him by the police. That, the presentation of challan will take sufficient time and thereafter the trial of the case will take sufficient time for the disposal of the case. No useful purpose will be served by keeping the accused/ applicant behind bars.

3. I have heard learned counsel for the accused, learned Addl.

Public Prosecutor for the State and have gone through the file carefully.

As per FIR in question, accused was found in conscious possession of 95 gram intoxicant powder. The nature of recovery can be ascertained only after receiving the report of Chemical Examiner. The accused is in custody since 2.11.2021. As such, keeping in view the period of custody, the grounds mentioned in the bail application and the fact that the report of Chemical Examiner is yet to be received, the accused is granted interim bail till the date of receiving Chemical report on furnishing his bail bond in the sum of Rs.50,000/- with one surety in the like amount. It is made clear that in case, on receiving chemical report, the quantity recovered from the possession of the accused is found to be in commercial in nature, then, the bail order passed by this court today, shall stand cancelled automatically and the accused shall be required to surrender in the court. With these observations bail application under reference stands disposed of.

Accused shall not leave India without prior permission of the court; The accused shall continue appearing in Court unless appearance is specifically exempted.

Copy of this order be placed with the remand papers and this file be consigned to the record room.

Pronounced:
15.12.2021.

Sandeep Singh Jossan
PB0150
JSC/ Hoshiarpur.

*typed by Mukesh Chander,
Stenographer Gr-I*