

**In the Court of Palwinder Jit Kaur,
Judge, Special Court, Hoshiarpur**
(UID No. PB0187)

BA/CIS No. 2714 of 2025
CNR No.PBHO010080522025
Date of institution: 03.10.2025
Date of Order: 08.10.2025

Rohit @ Ruby @ Sai aged about 26 years, S/o Bitu R/o Balmiki Mohalla,
District Hoshiarpur.

.....Applicant-accused

Versus

State of Punjab

.....Respondent.

FIR No. 261 dated 15.8.2025
U/s 21/22/27(A)/29/61/85 of ND&PS Act,1985
Police Station: City Distt. Hoshiarpur.

(FIRST APPLICATION FOR REGULAR BAIL UNDER SECTION 483 of BNS

Present: Ms. Ritu Sharma Advocate for the applicant-accused.
Shri Charanjit Singh Addl. Public Prosecutor for the State.

ORDER:

1. This order of mine shall dispose of an application moved by applicant/accused for grant of regular/interim bail. Notice of the bail application was issued to the State through learned Addl. PP, who appeared and contested the bail application.

2. The learned counsel for the applicant-accused submits that applicant-accused has been nominated in this case on the disclosure statement of co-accused Sushant Sharma @ Sunny. Nothing was recovered from the applicant-accused. The applicant-accused in custody since 18.08.2025. Presentation of challan and its conclusion shall take sufficient time. No useful

purpose will be served by keeping the applicant-accused behind the bar, as such applicant-accused be released on bail.

3. On the other hand the learned Public Prosecutor for the State has opposed the bail application on the ground that the recovery of narcotic is serious offence. As such there are chances that accused may flee from the justice in case he is granted bail.

4. I have considered the contentions raised by by Learned Counsel for the applicant as well as Learned Public Prosecutor for the State. The recovery of intoxicant tablets has already been effected from the co-accused namely Sushant Sharma @ Sunny. The name of the applicant-accused has been nominated in this case on the basis of statement of co-accused Sushant Sharma @ Sunny. Admittedly the report of FSL is not yet received. At this stage, it cannot be ascertained about the nature of the salt contained in the alleged intoxicant tablets affected in the present case. The applicant-accused is in custody since 18.8.2025. No useful purpose will be served by keeping the applicant-accused in custody, rather it will be burden on the state Exchequer. So, keeping in view the facts and circumstances of the case and the law laid down in case “Inderjeet Singh @ Laddi and other Vs. State of Punjab” reported in 2014 (3) Recent Criminal Reports 953 and Vinod Kumar Vs State of Haryana (2020) Law Today Live Doc Id #15565 decided on 28.10.2020, this court is of the considered opinion that it would be ascertained after receipt of FSL report that what was exactly found from the applicant-accused. Accordingly, the applicant-accused is ordered to be released on *interim bail* on his furnishing bail bonds in the sum of **Rs.1,00,000/-** with one surety of the like amount to the satisfaction of Illaqa/Duty Magistrate and after accepting the bail/surety bonds same be returned to the Court concerned immediately. Copy of this order be sent to the Illaqa Magistrate

for necessary compliance. It is made clear that this interim relief will subsists only till the receipt of chemical examiner report. On the receipt of report of chemical examiner, the accused/applicant will surrender in the trial Court immediately, if tablets recovered from the applicant-accused falls in the category of commercial quantity and order granting interim relief shall be deemed to be cancelled and then, the applicant/accused shall avail remedy of bail in accordance with law, which shall be considered on merits. Further, the accused is directed not to indulge in such like activities and he shall not leave India without prior permission of the Court till the disposal of the trial. The applicant-accused shall also submit an undertaking that he will surrender before the trial court on receiving the FSL report. Bail application stands disposed of accordingly. Police record be returned. File of bail application be attached with the remand papers.

Announced in open Court:

Dated: 08.10.2025

Shikha steno.

Direct dictation.

(Palwinder Jit Kaur),

Judge Special Court

Hoshiarpur

UID No. PB0187