

IN THE COURT OF SH. K.K.SINGLA,
JUDGE SPECIAL COURT, GURDASPUR

CIS BA No.2512 of 2019
Date of decision :27.8.2019

Harbhajan Singh alias Bhajan aged 35 Years son of Amrik Singh, resident of
Village Athwal, Tehsil and District Gurdaspur.

.....Accused/applicant.

Versus
State of Punjab

..Respondent

FIR No.42 dated 19.6.2019
Under Section 22/61/85 of NDPS Act,
PS Sekhwan

First petition u/s 439 Cr.P.C.

Present : Sh. Ranjan Khullar Advocate counsel for
applicant/accused.
Sh. S.S.Virdhi, Addl. P.P for the State.

ORDER

1. Present bail application has been filed under Section 439 Cr. P.C on behalf of accused/applicant Harbhajan Singh alias Bhajan for grant of regular bail in FIR No. 42 dated 19.6.2019 Under Section 22/61/85 of NDPS Act, PS Sekhwan Alongwith regular bail application, another application to release the applicant/accused on interim bail has also been moved.
2. Allegations are that applicant/accused was found in possession of 9650 intoxicant tablets without any permit or license.
3. Notice of the bail application was given to the State. Sh.S.S.Virdhi, learned Additional P.P. has put in appearance on behalf of the State.

4. Learned counsel for applicant has contended that the applicant is innocent and has been falsely implicated in this case. He further contended that the applicant/accused is in custody since 19.6.2019 and prayed that he be released on interim bail.
5. On the other hand, learned Additional Public Prosecutor has opposed the bail application on the ground of gravity of the offence.
6. I have heard the learned counsel for the applicant-accused, learned Additional Public prosecutor and have gone through the record on the file.
7. After going through the record on the file it is clear that in this case the applicant-accused has been booked for having been found in illegal possession of 9650 intoxicant tablets without any permit or license..
8. In the given circumstances, no case for regular bail is made out. Accordingly, relief sought by applicant/accused for regular bail stands declined.
9. Concededly, report from Forensic Science Laboratory has not been received. Statement of ASI Santokh Singh has been recorded to that effect. The applicant/accused is in custody since 19.6.2019. Presentation of challan and trial thereof will take sufficient long time. No useful purpose would be served by detaining him in judicial custody for indefinite period. Therefore, without commenting on the merits of the case, at this stage the

application moved with regard to release the applicant/accused on interim bail stands allowed and he is ordered to be released on interim bail till the receipt of report of FSL on furnishing bail bonds in the sum of Rs.1,00,000/- with two sureties in the like amount to the satisfaction of Illaqa/Duty Magistrate, subject to the conditions that he would not leave the country without prior permission of the court; he would not influence the witnesses of the prosecution and would appear before court on each and every date of hearing and will surrender before the court as and when report of FSL is received.

10. Papers be attached with the remand papers.

Pronounced
Dated:-27.8.2019

Prem Kumar
Stenographer-II

(K.K.Singla)
Judge, Special Court,
Gurdaspur
UID No. PB 0197

Present : Sh. Ranjan Khullar Advocate counsel for
applicant/accused.
Sh. S.S.Virdhi, Addl. P.P for the State.

ASI Santokh Singh is present and recorded his
statement.

Arguments heard. Vide my separate detailed order
pronounced today, bail application for regular bail stands dismissed.
However, application moved with regard to release the applicant/accused
on interim bail stands allowed as detailed therein. Papers of the bail
application is ordered to be attached with the remand papers.

Pronounced
Dated:-27.8.2019

(K.K.Singla)
Judge, Special Court,
Gurdaspur
UID No. PB 0197

Prem Kumar
Stenographer-II