

**IN THE COURT OF GURJANT SINGH,
Additional Sessions Judge,
Hoshiarpur
UID No. 0080**

Bail application CIS No. BA/2723/2019
CNR No. PBHO010106852019
Date of decision : 05.12.2019

Pawan Kumar alias Pabba aged 24 years son of Nirmal Singh r/o village Khanora, P.S. Mehtiana, District Hoshiarpur.

....Applicant-accused

versus

State of Punjab

....Respondent

FIR No. 119 dated 03.11.2019,
Under Section 22 of Narcotic Drugs and Psychotropic
Substance Act, 1985
PS. : Mehtiana, District Hoshiarpur

APPLICATION FOR GRANT OF INTERIM BAIL

Present: Sh. Wikalp Vats Advocate for applicant-accused
Sh. Charanjit Singh, Additional Public Prosecutor for State

ORDER:

This order of mine will dispose of application, moved by accused/applicant for his release on interim bail in aforesaid case.

2. It has been argued by learned counsel for applicant/accused that applicant/accused has been falsely implicated in this case with allegations that 2 grams of intoxicant powder has been recovered from applicant/accused. He is lodged in custody since 03.11.2019 and not required for

purpose of investigation. Report of Chemical Examiner is yet to be received as a result whereof disposal of application for regular bail is being delayed unnecessarily. Thus, applicant/accused may be released on interim bail, till receipt of report of Chemical Examiner.

3. These arguments have been refuted by Sh. Charanjit Singh, learned Additional Public Prosecutor for State on the ground that there are serious allegations against accused/applicant.

4. I have given thoughtful consideration to these contentions and in order to appreciate the same have gone through record of this case carefully.

5. As per allegations 2 grams of intoxicant powder is stated to have been recovered from applicant/accused. Applicant/accused is in custody since 03.11.2019 and challan is not being presented as report of Chemical Examiner has not been received so far.

6. A Division Bench of our own Honorable High Court in case of ***Inderjit Singh alias Laddi*** versus ***State of Punjab*** - 2014 - RCR (Criminal) – 953 has been pleased to hold that such a person should be released on interim bail if matter is being unnecessarily delayed. Prosecution is not capable to give a cut of date for receipt of Chemical Examiner and sometimes result does not favor prosecution even. Keeping in view above facts and ratio of law, laid down in in case of ***Inderjit Singh alias Laddi*** (*supra*) applicant/accused is ordered to be released on interim bail, on his furnishing bail bonds in the sum of Rs.20,000/- with one surety of the like

amount, to the satisfaction of this court, till report of Chemical Examiner is received and in case if it is found that as per allegations commercial quantity of contraband was recovered from conscious possession of applicant/accused, he will surrender in court immediately and interim relief shall be deemed to have been declined.

Papers be attached with remand papers.

Announced:
05.12.2019

(Gurjant Singh)
Additional Sessions Judge
Hoshiarpur
UID No . PB0080