

Rakesh Kumar and other versus State of Punjab

Present: Shri RK Guliani Advocate for applicant.
Shri Munish Singla, Addl. Public Prosecutor for the State
assisted by ASI Tarsem Lal, No.1532/SGR._

ORDER

ASI Tarsem Lal, No.1532/SGR, PS Dirba, who produced the record, has suffered a statement that recovery of 95 tablets of Alprazolam was effected from accused Rakesh Kumar and Kaka Singh on 14.06.2026 and the report of Chemical Examiner has not been received so far.

Arguments on the first bail application filed by applicants- accused Rakesh Kumar and Kaka Singh for releasing them on regular bail in FIR No.120 dated 14.06.2026, under Section 22 and 29 ND&PS Act, P.S. Dirba, heard.

2. Upon notice, Ld. Addl Public Prosecutor for State assisted by ASI Tarsem Lal has opposed the bail application alleging that recovery of 95 loose tablets was effected from the accused Rakesh Kumar and Kaka Singh. The report of FSL is yet to be received. Record of main challan has been received and perused.

3. Perusal of record reveals that accused accused Rakesh Kumar and Kaka Singh were spotted by the police party on 14.06.2026 and polythene thrown by them on being checked, was found containing 95 intoxicating tablets and they are in custody since then. Report of Chemical Examiner qua the contents of above said contraband has not been received so far. Applicants/accused seeks their release on bail as

report of Chemical Examiner has not been received so far. Hon'ble Punjab and Haryana High Court in **Inderjit Singh @ Laddy Versus State of Punjab, 2014 (3) RCR (Criminal) 952**, has been pleased to hold that if matter is being unnecessarily delayed due to non-receipt of FSL Report, Special Court may release applicant-accused on interim bail till receipt of report of chemical examiner.

4. In the present case as stated by ASI Tarsem Lal, the report of Chemical Examiner has not been received till date. So, till report of Chemical Examiner is received, it cannot be ascertained as to whether the recovery effected from the applicants/ accused falls within the commercial quantity or non-commercial. The receipt of report of Chemical Examiner and conclusion of trial will take sufficient long time and no useful purpose would be served by keeping the applicants/accused in custody for an indefinite period who are already in custody since 14.06.2026. Consequently, without expressing opinion upon the merits of case, in the light of above discussed law, applicants-accused are ordered to be released on **interim bail** till receipt of report of Chemical Examiner, on furnishing personal bond in the sum of Rs.50,000/- each with one surety of like amount subject to following conditions:

1. That they shall surrender before the court on receipt of the report of Chemical Examiner;
2. That they shall attend Court on each and every date of hearing;
3. That they shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;

4. That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and
5. That they shall not leave the country without prior permission of Court and will surrender her passport to the Court within three days on their release, if they possess any such document.

5. The applicant/accused are further directed to furnish the bail bonds and surety bonds before the Area/Duty Magistrate. Applicant-accused be also intimated immediately about the order granting bail through Superintendent, District Jail, Sangrur through e-mail. Copy of this order be sent to learned Area Magistrate for compliance. Bail application be attached with the connected papers.

Pronounced in open Court.

Dated: 15.07.2026

(Sanjeeta),
Judge, Special Court, Sangrur
(UID No. PB-0177)

Shavinder Kumar, Stenographer-I