

**In the court of Ms. Palwinder Jit Kaur,
(Duty) Judge Special Court, Patiala.**

BA No. 1100 of 2020
CNR No.PBPT 0100-3571-2020
Date of order : 22.05.2020

Malkiat Singh aged about 30 years son of Dalip Singh resident of village
Shatrana, Tehsil Patran, District Patiala.

...Applicant-accused

Versus

State of Punjab

...Respondent

FIR No. 04 dated 09.01.2020
U/s 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
Police Station: Patran.

Application for bail U/s 439 Cr.P.C.

Present: Sh. Harish Ahuja Adv, counsel for the applicant through
Video conferencing .
Sh. Deepinder Singh, ADA for the State along with ASI
Jaswant Singh.

ORDER:-

1. File put up before me being Duty Judge/ I/c Addl. Sessions
Judge. This order of mine shall dispose of regular bail application moved
by accused-applicant in case FIR No. o4 dated 09.01.2020, U/s 22 of the
Narcotic Drugs and Psychotropic Substances Act 1985, PS Patran.

2. Arguments are heard. Learned counsel for the applicant/accused
has argued that the applicant is innocent and has not committed any alleged
offence. No offence is made out against the applicant. The alleged recovery of
1140 intoxicant tablets has been effected. The applicant is in custody since
09.01.2020. The applicant is no more required for any purpose. The
presentation of challan will take sufficient time. A prayer is made for grant of
regular bail.

3. Upon notice, learned ADA for the State appeared and while controverting his contentions has vehemently argued that the applicant is involved in a case of Narcotic Drugs and Psychotropic Substances Act, 1985. As recovery made from accused is of commercial quantity, he does not deserve the leniency of the court i.e. grant of relief of bail.

4. This Court has heard the learned counsel for the applicant, learned PP for the State and perused the record as well as considered the submissions made. As is revealed from the record, on 09.01.2020 total 1140 intoxicant tablets of white colour were recovered from the possession of applicant, which falls under commercial quantity.

5. As the recovery effected from the accused falls under the category of commercial quantity, hence without expressing any opinion on the merits of the case and keeping in view the provisions of Section 37 of NDPS Act, this court does not deem fit to grant the concession of bail to the applicant/accused. Consequently, the bail application is, hereby, dismissed. Police record be returned. Bail papers be attached with main file.

Pronounced in open Court,
On 22.05.2020.
Typed by Sanjay Jain, Stenographer-I

(Palwinder Jit Kaur)
(Duty) Judge Special Court, Patiala,
(UID No.0187)

Malkiat Singh Vs. State
BA No. 1100 of 2020

Present: Sh. Harish Ahuja Adv, counsel for the applicant
Sh. Deepinder Singh, ADA for the State.

Report of FSL is received. ASI Jaswant Singh has made the statement that as per report the quantity in question is commercial.

Arguments heard on the application for regular bail. Vide separate detailed order of even date, the bail application is dismissed. File be attached with the main file.

Pronounced in open Court,
On 22.05.2020.
Typed by Sanjay Jain, Stenographer-I

(Palwinder Jit Kaur)
(Duty) Judge Special Court, Patiala,
(UID No.0187)