

1. **In the Court of Sh. Muneesh Arora (UID No.PB0135),**
2. **Judge Special Court, Kapurthala (Duty).**

3. -.....:-

4.

5. CNR No.PBKP010030112018

6. Bail application No.1101 of 14.06.2018

Date of interim order: 20.06.2018

Pending for 18.07.2018

FIR No.21 of 17.04.2018

Under Section 22/61/85 of NDPS Act.

Police Station Kabirpur (Ahalikalan), Kapurthala.

State

Versus

Rampal @ Johny aged about 32
years son of Pritam Lal @
Pritam Singh, resident of
Sindhra, PS Lohian, District
Jalandhar.

.....Accused/applicant.

Bail application under Section 439 CrPC.

Present: Sh. Ranbir Rawat, Advocate, for applicant-accused.

Sh. Gurpreet Singh, Addl. PP for State.

ORDER

1. File put up before me being Duty Officer as the learned Presiding Officer is availing summer vacations.

2. The present bail application under section 439 Cr.P.C. has been filed by the applicant-accused Rampal @ Johny, aforesaid, in the aforementioned FIR.

3. Learned counsel for the applicant-accused has contended that the police of PS Kabirpur (Ahlikalan), Kapurthala has

registered a false case against the applicant-accused although the applicant is innocent and has not committed any alleged crime. The applicant-accused is in judicial custody since 17.04.2018. There is no direct or indirect evidence against the applicant-accused to connect him with the commission of alleged crime. The applicant is ready to abide by all the terms and conditions imposed by this court. On these assertions he has prayed for grant of regular bail.

4. Learned Addl.P.P for the State has opposed the bail application and has submitted that grave and serious allegations have been levelled against the applicant-accused. On these assertions, he has prayed for dismissal of the bail application.

5. I have heard learned counsel for applicant-accused, learned Addl.P.P for the State and have also gone through the record very carefully.

6. Applicant-accused Rampal @ Johny has allegedly been found in conscious possession of 56 of intoxicant capsules. The report of Forensic Science Laboratory is awaited. Accused is in custody since 17.04.2018. Learned Counsel for accused-applicant has prayed that Hon'ble Punjab & Haryana High Court, Chandigarh in Criminal ***Misc.NO.1389 of 2013 Ravinder Singh alias Rinku Versus State of Punjab and Criminal Misc.No.13 of 2012 Inder Singh Versus Ladi decided on 31.01.2014*** has given the direction that in case there is delay in the report of the Chemical Analysis, this would entitle the accused to the interim bail, till the report is finally received.

7. Considering the allegations in the FIR and arguments of learned counsel for the applicant-accused, applicant-accused Rampal @ Johny is ordered to be admitted to interim bail till the report of Forensic Science Laboratory is received on his furnishing personal bail bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of this Court subject to the following conditions that :-

1. He will not tamper with the prosecution evidence;
2. He will appear in the Court each on each and every date of hearing to be fixed in the trial;
3. He will not leave the territory of India without prior permission of the Court.
4. He will surrender his passport in the Court, if any. In case he is not possessing any passport, he will furnish an affidavit to this effect within seven days from the date of his release from custody.

8. Now to come up on 18.07.2018 for awaiting report. Bail application be annexed with the remand papers.

Pronounced in the open Court
Dt.20.06.2018
(Arun)

(Muneesh Arora)
Judge Special Court,
Kapurthala (UID No.PB0135) (Duty)