

IN THE COURT OF SARU MEHTA KAUSHIK,
JUDGE SPECIAL COURT, LUDHIANA (UID NO.PB-0442)

CIS No.BA-5626-2026

Date of decision: 09.07.2026

State	Vs.	Sarabjeet Singh son of Balvir Singh resident of House No.74, Tehsil Ludhiana, Ludhiana West, Dewatwal, Dakha, Ludhiana. ... Accused/applicant
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FIR No. 111 dated 08.06.2026
under Section 22/61/85 of NDPS Act
Police Station : Dakha, Ludhiana.

Bail application under Section 483 of The Bhartiya Nagrik
Suraksha Sanhita, 2023

Present: Mr. R.S.Chahal, Addl.Public Prosecutor for the State.
Mr.Gurpal Singh Advocate for applicant/accused.

ORDER

This application is for seeking regular bail under Section 483 of The Bhartiya Nagrik Suraksha Sanhita, 2023, filed by applicant in the above said FIR.

2. In pursuance of notice, the learned Additional PP for the State, appeared and contested the bail application. Police record produced.
3. Heard the learned Counsel for accused/applicant, Additional PP for the State and also perused the record.
4. Learned counsel for the applicant argued that applicant was innocent and had been falsely implicated in the present case. He did not commit any such offence. He was in custody since 08.06.2026. No recovery was effected from him nor any recovery was to be effected from him. Presentation of challan and conclusion of trial will take long time. No useful

purpose will be served if he is kept in custody. Hence, the prayer for relief of regular bail.

5. On the other hand, while controverting his contentions, the learned Additional PP for the State has vehemently argued that applicant is involved in a case of Narcotic Drugs and Psychotropic Substances Act. As allegations against applicant are grave in nature, he does not deserve the leniency of the Court in grant of bail.

6. As per the prosecution version, on 08.06.2026 in the area of Police Station Dakha, Ludhiana, 10 loose intoxicating tablets were recovered from the conscious possession of applicant, without any licence or permit. The sample of the contraband has been sent to the FSL. But, neither the report of Chemical Examiner has been received as yet nor the challan has been presented in the Court. Applicant has been behind the bars since 08.06.2026. The alleged recovery has already been effected. The prosecution will prove its case against applicant only after submission of report under Section 193 BNSS. on completion of investigation. It has been settled legal proposition that the delay in testing the sample does result in prejudice to the alleged offender as till the result of chemical examiner is available, there can be no certainty with regard to the kind and quantity of the contraband, allegedly recovered. In such cases, the accused may be released on interim bail, if there is likelihood of delay. In **Inderjit Singh alias Laddi Versus State of Punjab (P&H) DB, 2014 (3) RCR (Criminal) 953**, it has been observed by our own Honorable High Court that the Presiding Officer of a Special Court dealing with NDPS cases, where ever

the need is felt and where the matter is being unnecessarily delayed may grant interim bail till the receipt of the FSL report and thereafter consider the case after the receipt of the report.

7. Applying the aforesaid parameters of law to the facts of the present case, the Court is of the opinion that it is a fit case for grant of relief of interim bail till presentation/receipt of challan/report of Chemical Examiner by the police. Thus, subject to the contents and their quantity that may be found in the report of Chemical Examiner, applicant is admitted to **interim bail** in this case till presentation/receipt of challan/report on furnishing bail bonds and surety bonds **to the satisfaction of Illaqa/Duty Magistrate**, subject to the following conditions :-

- i. That applicant will make himself available in the investigation of the case, as and when required;
- ii. That applicant will not tamper with the prosecution evidence; and
- iii. That applicant will not leave the country without prior permission of the court.

8. The learned Additional PP for the State/Investigating Officer is directed to ensure that the report of Chemical Examiner be produced in the Court immediately on its receipt. Further, it is made clear that this relief of interim bail will subsist only till the receipt of chemical report, whereupon applicant shall surrender before the court and file regular bail application, which shall be disposed of on merits in the light of report of FSL. The application stands disposed of accordingly, without expressing any opinion on the merits of the case. Police record alongwith copy of this order be

returned and copy of this order be sent to the Court concerned. Bail papers be attached with the remand papers of the FIR in question.

Pronounced in open Court.

Dated: 09.07.2026.

(Saru Mehta Kaushik)
Judge, Special Court,
Ludhiana (UID-PB0442)
(Direct Dictated)

Tejinder Nath,
Stenographer-I.