

In the Court of Sandeep Singh Bajwa, Addl. Sessions Judge, Amritsar.

B.A. no. 11286/2018.

CNR No. PBAS010167762018.

Date of Institution : 22.11.2018.

Date of order :-6.12.2018.

S T A T E

Versus.

Kuldip Singh @ Bablu son of Daljit Singh R/o near Sai Mandir, Ward no.13, Ajnala, Tehsil Ajnala, Distt. Amritsar.

..... applicant-accused.

FIR no. 229/5.11.2018.

U/ss 21 and 22 of NDPS Act.

Police Station : Ajnala, Amritsar.

Ist Application for bail u/s 439 Cr.P.C.

Present : Sh. Jugraj Singh, Advocate, counsel for the
applicant/accused.
Ms. Rittu Kumar, Ld. Additional PP for the State

-00-

O R D E R

1. This order shall dispose off bail application moved on behalf of applicant-accused Kuldip Singh @ Bablu in case FIR No. 229 dated 5.11.2018, u/s P.S.Ajnala, Amritsar preferred u/s 439 Cr. P.C for

grant of regular bail.

2. In nut shell the prosecution version is that on 5.11.2018, in the area of PS Ajnala, 130 intoxicant tablets and 3 injections were recovered from the possession of applicant-accused which he kept in his possession without any license or permit. The accused was arrested at the spot and on the basis of ruqa, the instant FIR was lodged.
3. Notice of the bail application was given to state and record was also summoned.
4. I have heard the rival contentions and have perused the record.
5. In the present case, the applicant/accused was found to be in possession of 130 intoxicant tablets and 3 injections. He is in judicial custody since 5.11.2018. As submitted by Ld.Addl.PP for the state, the report of chemical examiner has not yet been received. Division Bench of Hon'ble Punjab and Haryana High Court in **Criminal Misc. No. 1140 of 2012 decided on 30.1.2014 titled as "Inderjit Singh @ Ladi Vs. State of Punjab"** has held that " in case there is delay, this would entitle the offender of at least interim bail till report is finally received". So, keeping in view the above said recovery from possession of accused, I am of the view that the

accused is entitled to get interim bail till report of chemical examiner is finally received as per ratio of the above said judgment. Accordingly, the above named applicant/accused is ordered to be released on interim bail till receiving of chemical examiner report subject to furnishing of bail bonds in the sum of Rs. 50,000/-with one surety in the like amount subject to condition that applicant-accused will neither leave the country without prior permission of the court nor will tamper with prosecution evidence and further would not threat the witnesses of the prosecution and will appear on each and every date of hearing. It is however, made clear that in case, on receipt of report, quantity of narcotic drug or psychotropic substance is found to be commercial, this order granting interim bail shall be deemed to have come to an end automatically and applicant will be taken in custody without any further order of cancellation of bail. The present bail application is disposed off accordingly. Police Record of returned forthwith and file be consigned to the record room.

Pronounced in open court.
Dated:-06.12.2018.

Sunita Rani,
Stenographer Grade-III, Adhoc.

(Sandeep Singh Bajwa),
Additional Sessions Judge,
Amritsar.