

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

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CNR No.PBKP010029772017
Bail application No.2072 of 04.07.2017
Date of interim order: 20.07.2017
Pending for 02.09.2017

FIR No.164 of 18.06.2017
Under Section 22/61/85 of NDPS Act.
Police Station Sultanpur Lodhi, Kapurthala.

State	Versus	Sukhdev Singh son of Sampuran Singh, resident of village Boot, Tehsil and District Kapurthala.Accused/applicant.
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Bail application under Section 439 CrPC.

Present: Sh. Suresh Chopra, Advocate, for applicant-accused.
Ms. Mandeep Walia, Addl. PP for State.

ORDER

1. The present bail application under section 439 Cr.P.C. has been filed by the applicant-accused Sukhdev Singh, aforesaid, in the aforementioned FIR.

2. Learned counsel for the applicant-accused has contended that police of PS Sultanpur Lodhi, District Kapurthala has registered a false case against the applicant-accused although the applicant has nothing to do with the commission of any alleged

offence. The applicant-accused is in judicial custody since 18.06.2017. There is no direct or indirect evidence against the applicant-accused to connect him with the commission of alleged crime. The applicant is not involved in any manner in the present case. 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.

3. 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, she has prayed for dismissal of the bail application.

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

5. Applicant-accused Sukhdev Singh has allegedly been found in conscious possession of 110 grams of intoxicant powder. The report of Forensic Science Laboratory is awaited. Accused is in judicial custody since 18.06.2017. 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.

6. Considering the allegations in the FIR and arguments of learned counsel for the applicant-accused, applicant-accused Sukhdev Singh 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.

7. Now to come up on 02.09.2017 for awaiting report. Bail application be annexed with the remand papers.

Pronounced in the open Court
Dt.20.07.2017
(Arun Subgotra)

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