

Jaskaran Singh @ Karan Versus State-BA-2103-2019.
(CNR No.PBHO01-008449-2019).

Present: Shri Rajesh Sabharwal, Counsel for applicant-accused.
 Shri Satnam Singh, Additional PP for the State.

ORDER:

Applicant Jaskaran Singh @ Karan is seeking interim bail in FIR No.177 dated 26.7.2019, under Section 22-61-85 of ND&PS Act, pertaining to Police Station Tanda, District Hoshiarpur.

2. Upon notice, application is opposed by the Additional PP for the State on the ground that allegations against accused are serious and he cannot be granted bail in this case because the offence is very heinous in nature. So he has prayed that bail application be dismissed.

3. Brief facts of prosecution case are that on 26.7.2019, ASI Ranjit Singh alongwith police party were on patrolling duty on their private vehicles from Police Station Tanda towards Sehbazpur side. When police party turned from G.T Road to Sehbazpur Village, then one boy on motorcycle bearing No.PB-07BP-3983 was spotted coming. On seeing the police party, accused tried to turn back and threw one plastic envelope on the road after taking out from his trouser. He was apprehended on the basis of suspicion. After

complying with the provisions of law, he disclosed his name as Jaskaran Singh @ Karan son of Rattan Singh. 170 Tablets of '*Alprazolam*' were recovered from the accused and he was arrested. FIR was accordingly registered under Sections 22-61-85 of ND&PS Act. The sample has been sent to the Chemical Examiner but the chemical examiner report has not been received as yet. In the absence of report of chemical examiner, it cannot be ascertained as to whether the recovery of contraband effected from the accused falls under commercial quantity or below quantity as per schedule attached to ND&PS Act. The applicant-accused is in custody since 26.7.2019 and the presentation of challan and receipt of chemical examiner report may take time. No useful purpose will be served by keeping the applicant-accused in custody, rather it will be burden on the State Exchequer. Without commenting on the merits of the case, the accused-applicant Jaskaran Singh @ Karan is ordered to be released on interim bail subject to his furnishing personal bail bonds in the sum of Rs.50,000/- with one surety in the like amount subject to the conditions that he will appear in the court on each and every date of hearing, will not tamper with the prosecution evidence and will not leave India without prior permission of this court. Bail application stands disposed of accordingly. The SHO concerned is directed to forward the Chemical Examiner report to the court immediately on receipt of the same and accused shall surrender before the court within one week of the receipt of chemical examiner report for further proceedings, as per law. Papers be attached with the remand papers.

Announced in open court:
Dated: 12th September, 2019.
'Gautam Manocha, JW (SG)'

(Sandeep Kumar Singla),
Judge, Special Court, Hoshiarpur.
(UID No.PB-0118).