

**IN THE COURT OF JAGMOHAN SINGH SANGHE
JUDGE, SPECIAL COURT, FAZILKA.
(UID NO.PB0447)**

Case Details

Case Type	BA
Regn. No.	BA/2248/2022. Date of Regn. 20.10.2022.
CNR No.	PBFZC0-0053382022.
Date of order	27.10.2022.

Rajinder Singh aged about 68 years son of Bhagwan Singh resident of
Near Singh Sabha Gurdwara Sahib Jalalabad Tehsil Jalalabad District
Fazilka. **...Applicant.**

Versus

State of Punjab

...Respondent.

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FIR No.117 dated 20.05.2021.  
U/s. 22 NDPS Act.  
Police Station City Jalalabad.

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2nd Bail application Under Section 439 Cr.PC.

Present: Shri S.K.Chugh, Advocate counsel for applicant.
Shri Gurbaj Singh, Additional PP for the State.

ORDER:

1. By this order, this Court intends to dispose off the present
bail application under Section 439 Cr.PC having been filed by
applicant Rajinder Singh.

2. Notice of the bail application was served upon the State through learned Additional PP alongwith copy of bail application, who received the same, appeared and contested the bail application on merits. Police record was requisitioned which has been received and perused.

3. I have heard the respective contentions of both the learned Advocates and have perused the record with their able assistance.

4. As per allegations, recovery of 950 intoxicating tablets is stated to have been effected from the conscious possession of accused. Vide order dated 08.07.2021 passed by this Court in BA/1107/2021 applicant was allowed interim bail with the condition that if it is transpired from the report of FSL, that recovery in the case is of commercial quantity of any narcotic drug, psychotropic substance or controlled substance, the protection of interim bail shall automatically stand withdrawn and cancelled. Report of FSL is received. The accused has been charge sheeted for commission of offence under Section 22(c) NDPS Act for having been found in conscious possession of commercial quantity of intoxicating tablets containing salt 'Tramadol Hydrochloride'. Consequently the concession of interim bail granted to

him was withdrawn vide order dated 16.08.2022. Since accused has been charge sheeted for having been found in possession of commercial quantity of intoxicating tablets containing salt 'Tramadol Hydrochloride' rigors of Section 37 NDPS Act is attracted in this case. No new ground is made out in favour of applicant/accused for grant of bail under section 439 Cr.PC through this IInd application. Consequently, the second bail application under Section 439 Cr.P.C. filed by applicant/accused stands dismissed being without merits. File be consigned to the record room.

Pronounced in open Court.
Dated:27.10.2022.
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(Jagmohan Singh Sanghe),
Judge, Special Court,
Fazilka : UID no.PB0447