

BA No.3552 of 2023
CNR No:PBHO01011326 of 2023

Present: Shri A.S.Ghotra, Advocate for bail-applicant
Shri Charanjit Singh, Ld. Addl. PP for the State.

ORDER:

This order of mine shall dispose of application filed on behalf of Ramandeep @ Monu (**bail applicant**), for grant of **regular** bail, in case bearing **FIR No.283 dated 26.11.2023, under Sections 21, 61, 85 of NDPS Act**, registered at Police Station, **Model Town**, District Hoshiarpur. The Ld. Addl. PP for the State stated that an offence under Section **29** of the NDPS Act added. Ld. Counsel for bail applicant also moved application in this regard, as such same is allowed. The bail application be also read qua offence under Section **29** of the NDPS Act.

2. **Notice** of bail application was issued to the State through Ld.Addl. PP for the State, who put in appearance and contested bail application.

3. Report of Ahlmad has also received, vide which it is reported that no other bail application is pending or decided as per the website of Hon'ble High Court of Punjab & Haryana, Chandigarh.

4 The police record was requisitioned and perused.

5. I have heard Ld. Addl. PP for the State and Ld. Counsel for bail-applicant and have gone through the police record.

6. From material placed on record, it comes out to surface that on **26.11.2023**, when police party while on patrol duty, in order to search for miscreants, were going toward village Jahra Zahur via SDM Chowk &

Rahimpur Chowk, Hoshiarpur from CIA Staff, Hoshiarpur and, when they were present at a short distance of 500 meters from Gurudwara Jahara Zahur, at Focal point Chowk, **bail applicant** was spotted standing there, who on observing police party landed there tried to run away, after dropping glazed envelope, taking it out from right pocket of his trousers. Therefore, **bail applicant** was intercepted on the basis of suspicion. After making mandatory compliance under NDPS Act, when glazed envelope dropped by **bail applicant** was searched, it was found containing **200 gms of 'Heroin'**

7. The **bail-applicant** was arrested on **26.11.2023** and since then he is in custody. The report of Forensic Science Laboratory, has not been received, so as to decipher as to exact salt of contraband, in order to quantify it either in the category of non-commercial or commercial quantity. Therefore, at this stage, this Court is unable to say definitely as to the quantity of the salt, to keep either in the category of commercial or non-commercial. The **bail-applicant** is in custody since **26.11.2023** Therefore, till the receipt of FSL report, I deem it proper to grant **interim bail** to bail-applicant, on his furnishing bail bonds/surety bonds in the sum of **Rs.50,000/-** with one surety of the like amount to the satisfaction of **Ilaqa Magistrate/ Duty Magistrate**, with following conditions:

A) That on the receipt of Forensic Science Laboratory report, if the quantity of contraband is found to be commercial in nature, in that event, the bail-applicant shall surrender in the Court within the period of 15 days. In case, bail-applicant fail to surrender within the stipulated period in the Court, in that event, the interim bail order shall cease to have effect.

9. The observations made by undersigned vide this order will have no reflection on merits.

10. Bail application file be consigned to the Judicial Record Room, Hoshiarpur, on its completion.

Pronounced in open Court:
Dated: 03.01.2024
'Rajbir Singh JW. Gr.I'

(Jaswinder Sheemar),
Judge Special Court, Hoshiarpur
(UID No.PB-0093).