

IN THE COURT OF SH. K.K.SINGLA,
JUDGE, SPECIAL COURT, GURDASPUR

CIS BA No.3201 of 2020

CNR NO. PBGD01-006289 of 2020

Date of decision :30.09.2020

Harjit Singh son of Charan Singh resident of village Ror Khera, PS Qila Lal Singh, Tehsil Batala, District Gurdaspur.

.....Accused/applicant.

Versus

State of Punjab.

..Respondent

FIR No.168 dated 10.09.2020,
Offence U/s 22(b)/61/85 of NDPS Act.
PS Kalaur.

Ist Bail application under Section 439 Cr.P.C.

Present : Sh. Baljinder Singh Bangowani, Advocate counsel for
applicant/accused.
Sh. B.K. Sharma, Ld. Addl. PP for the State.
- heard through Video Conference.

ORDER

1. Present bail application has been filed under Section 439 Cr. P.C on behalf of accused/applicant Sandeep Singh for grant of bail in case FIR No. 168 dated 10.09.2020, Offence U/s 22(b)/61/85 of NDPS Act, and PS Kalanaur. Alongwith regular bail application, another application for grant of interim bail has also been moved by applicant/accused.
2. Notice of the bail application was given to the State. Sh. B.K. Sharma, learned Additional P.P. put in appearance on behalf of the State.

3. Allegations are that 107 intoxicant tablets was recovered from the possession of applicant/accused without any valid permit or licence .
4. As per statement of ASI Kulwant Singh No. 648, P.S. Kalanaur, separately recorded in the Court today. The report of Chemical Examiner, has not been received till date. As per him, accused is in custody since 13.09.2020.
5. Contention of Sh. Baljinder Singh Bangowani, Adv, the Ld. Counsel for applicant/accused is that accused/applicant has been falsely implicated in this case. He further contended that the applicant/accused is in custody since 13.09.2020. His contention is that presentation of challan as well as trial will take sufficient long time. Allegations are matter of proof. No useful purpose will be served by keeping the accused in custody. Hence, he prayed that accused be enlarged on regular bail.
6. On the other hand, learned Additional Public Prosecutor has opposed the bail application on the ground of gravity of the offence.
7. I have heard the learned counsel for the applicant-accused, learned Additional Public prosecutor on video conference and have gone through the record on the file.
8. This fact is not disputed that alleged recovery from the accused is falling under the category of non commercial quantity.

Accused is in custody since 13.09.2020. Accused-applicant cannot kept in custody for indefinite period. Trial of case as well as presentation of challan may take sufficient time. So, without commenting upon the merits of the case, I hereby allow the application for bail and accused/applicant is ordered to be released on bail on his furnishing bail bonds and surety bonds in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of Illaqa/Duty Magistrate, subject to the conditions:-

- I) That he shall not hinder the ongoing investigation;
- ii) That he shall not leave the country without prior permission of the Court;
- iii) That he shall not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the Court or police;

9. Copy of this order be sent to Illaqa/Duty Magistrate for compliance.

Pronounced
Dated:-30.09.2020

(K.K.Singla)
Additional Sessions Judge,
Gurdaspur.
UID No. PB 0197

Dimple Rawat, Stenographer-III

Present : Sh. Baljinder Singh Bangowani, Advocate counsel for
applicant/accused.

Sh. B.K. Sharma, Ld. Addl. PP for the State.
- heard through Video Conference.

Statement of ASI Kulwant Singh has been recorded.
Arguments heard. Vide my separate detailed order pronounced today, bail
application for regular bail stands allowed as detailed therein. Papers of
the bail application is ordered to be attached with the remand papers.

Pronounced
Dated:-30.09.2020

(K.K.Singla)
Judge, Special Court,
Gurdaspur.
UID No. PB 0197

Dimple Rawat
Stenographer-III