

**IN THE COURT OF SHRI LALIT KUMAR SINGLA,
JUDGE SPECIAL COURT, JALANDHAR.
UID NO (PB0104).**

CIS number	BA/3837/2023
CNR number	PBJL010099762023
Date of Institution	01.08.2023
Date of Order	07.08.2023

Akash Parmar aged about 28 years son of Rattan Raj, resident of Talhan Road, Saini Building Material Store, Dakoha, Rama Mandi, Jalandhar.

...Applicants/accused

Versus

State of Punjab

...Respondent

FIR No.199 dated 07.07.2022
Under Section 21/22 NDPS Act.
Police Station Rama Mandi, Jalandhar.

[First Application for Bail U/s 439 of Cr.P.C.]

Present: Sh. S.C.Sood, Advocate for the applicant-accused.
Sh. APS Dhillon, Addl. PP for the State.

ORDER:

1. This order of mine shall dispose of an application seeking bail under Section 439 Cr.P.C. moved by applicant-accused Akash Parmar in the above noted case.

2. Notice of the bail application was given to State of Punjab, upon which learned Additional Public Prosecutor for State has opposed bail application. Record perused.

3. Concisely stated, on 07.07.2023, a police party headed by SI Jasbir Singh was in the area of Dhanowali Railway

Crossing, G.T. Road, Jalandhar, where two motorcyclists were intercepted on a motorcycle bearing No.PB08-EF-1108, who on seeing the police party, got perturbed and tried to turn back. Pillion rider holding a bag fled away after throwing the said bag. However, motorcyclist was apprehended and was enquired about his whereabouts, who disclosed his name as Akash Parmar son of Rattan Raj, resident of Talhan Road, near Saini Building Material Store, Dakoha;

From the search of polythene bag held by accused Akash Parmar in his right hand, 10 grams of heroin was recovered without any licence or permit;

Accused Akash Parmar disclosed the name of pillion rider as Sahil Kesar @ Chandu son of Ashok Kumar, resident of H.No.45, Street No.02, Ravidas Colony, Dakoha, Rama Mandi, Jalandhar;

From the search of bag thrown by accused Sahil Kesar @ Chandu, heroin to the tune of 25 grams was recovered, without any permit or licence.

4. Learned counsel for the applicant-accused has vehemently contended that applicant-accused Akash Parmar has been falsely implicated in the alleged crime. The alleged recovery is planted one. So, applicant-accused, who is lingering in custody since 07.07.2023, may be released on bail.

5. On the contrary, learned Addl. PP for the State prayed for dismissal of bail application, keeping in view of the gravity of crime.

6. Having considering the arguments of both the sides,

in light of record available on the file, I have found that the alleged recovery of 10 grams Heroin has already been effected from the applicant-accused Akash Parmar. The alleged quantity is non-commercial in nature. Applicant-accused is lingering in custody since 07.07.2023. No useful purpose will be served by detaining the applicant-accused behind the bars indefinitely.

7. So, without commenting upon the merits of the case, applicant-accused is ordered to be released on bail on his furnishing of bail bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of this Court/Duty Judge subject to the conditions that he shall appear on each and every date of hearing; he shall not leave the country without prior permission of the Court and he shall not induce the prosecution witnesses; he shall surrender his passport in the Court. If he does not possess any passport, then an affidavit in this respect be also furnished by applicant-accused.

8. The bail application stands allowed accordingly. Bail application file be tagged with the remand papers.

Pronounced.
Dt 07.08.2023

(Lalit Kumar Singla)
Judge Special Court,
Jalandhar. UID No (PB0104)

Vivek*