

P/-1

**In the Court of Jaspinder Singh,(UID No.PB0148),
Judge, Special Court-cum-Additional Sessions Judge,
Amritsar.**

CNR No.PBAS010127592019.
Registration No: BA/2474/2018.
Date of Institution: 9.5.2019.
Date of order: 16.5.2019.

State Versus Sarabjit Singh alias Bau s/o Karam Singh r/o
village Chung, Tehsil Baba Bakala, District
Amritsar.

.....Accused/applicant.

FIR No: 62/2019.
Under Section: 15,61-85 of NDPS Act.
Police Station: Mehta.

Present:- Sh.R.S.Gill,Advocate, for the applicant-
accused.
Mrs.Anju Sharma,Addl.P.P for the State.

ORDER:

1. This order of mine shall dispose of **Ist** bail application
u/s.439 of Cr.P.C filed on behalf of accused-applicant for grant of
regular bail.

2. The applicant/accused has filed the present bail
application on the averments that accused/applicant is innocent. He
is in judicial custody since 22.4.2019 and is no more required by the
police for further investigation. The applicant has committed no
offence. The prosecution did not comply with the provisions of

section 50 of the NDPS Act. As such prayer is made for grant of regular bail to accused/applicant.

3. Upon notice issued to State, Addl.PP for the State has appeared. ASI Gurnam Singh has come present alongwith record.

4. I have heard counsel for the applicant and Addl.PP for the State and gone through the file very carefully.

5. In the present case the alleged recovery from the applicant is 5 kilogram and 100 grams of Poppy husk. The accused/applicant is in custody since 22.4.2019. Report of the Chemical Examiner has not been received as is apparent from the police file produced in the court. The alleged recovery of poppy husk falls under the ambit of non commercial in quantity. Accused/applicant is not required for further investigation. No useful purpose would be served by keeping the accused/applicant behind bars for indefinite period as presentation of challan and conclusion of trial will take long time. Thus, present bail application is allowed and accused/applicant is ordered to be released on bail subject to his furnishing personal bail bond in the sum of Rs.70,000/- with a surety in the like amount subject to following conditions:

P/-3

1. That accused/applicant shall appear in the court on each and every date of hearing;
2. Accused/applicant will not tamper with the prosecution evidence;
3. Accused/applicant will not leave the country without prior permission of the court.

Police file be returned forthwith. Bail application file be attached with the pending record of this Court, concerning the present case.

Pronounced in open Court.
16.05.2019.

(Jaspinder Singh),
Additional Sessions Judge,
Amritsar.
UID No. PB0148.

Sanjeev Kumar, Stenographer Gr.II.