

**IN THE COURT OF JASWINDER SHEEMAR,
JUDGE SPECIAL COURT, HOSHIARPUR.
(UID NO.PB-0093).**

BA No.1912 of 2024

CNR No:PBHO01005864 of 2024

Sunil Kumar

.....Bail Applicant.

Versus

State of Punjab.

.....Respondent.

FIR No.155 dated 26.06.2024**Under Section 22 & 29 of NDPS Act, 1985****Police Station Model Town, District Hoshiarpur**

First Bail Application Under Section 439 Cr.P.C.

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

ORDER:

1. This is a **first** bail application filed on behalf of **bail applicant** in the above referred FIR case.
2. **Notice** of bail application was issued to the State through Learned Additional Public Prosecutor of the State, who put in appearance and contested the 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 Investigation Officer of this case on behalf of State and Ld. Counsel for bail-applicant and have gone through the police record.
6. From the record, it comes out to surface that on **26.06.2024** police party while on patrol duty, in order to search for miscreants were at a short distance from T-pint Sunder Nagar, then, **Vijay Kumar(co-accused)** was supported coming from the side of Sunder Nagar, who on observing the police

party, tried to turn back, but was apprehended on the basis of suspicion. After making statutory compliances under the Act, when from the right pocket of the trousers of accused yielded recovery of **43 gms of intoxicant powder**.

7. It is evident that **bail applicant** was originally not nominated in present FIR case, however, his name came to surface on the basis of **disclosure statement** suffered by **Vijay Kumar (co-accused)**, on the basis of which **DDR No.38 dated 27.04.2024** was recorded. Therefore, **bail applicant** was arrested on **27.06.2024**. However, no recovery was effected from **bail applicant** and he was booked for the offence under **Section 29 of the NDPS Act** only.

8. The **bail-applicant** was arrested on **27.06.2024** and is in custody since then. Therefore, in view of the facts and circumstances above discussed, I deemed this case fit where **bail-applicant** is entitled to regular bail. Accordingly, regular bail application under Section **439 Cr.P.C**, filed on behalf of **bail applicant**, is **allowed**. The **bail applicant** is ordered to be admitted to bail in the sum of **Rs. 50,000/-** with one surety in the like amount to the satisfaction of **Ilaqa/Duty Magistrate**, subject to the conditions that he will appear in the Court on each and every date of hearing, will not tamper with the prosecution evidence and will not leave India without prior permission of this Court.

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

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

Pronounced in open Court:

(Jaswinder Sheemar),

Dated: 12.07.2024

Judge Special Court, Hoshiarpur

‘Rajbir Singh JW. Gr.I’

(UID No.PB-0093).

Jaswinder Sheemar,
Addl. Sessions Judge,
Hoshiarpur UID No.PB-0093.

