

**In the court of Shri Lalit Kumar Singla,
Vacation Judge-cum-Judge Special Court,
Jalandhar.UID No (PB0104)**

CIS number	BA/1913/2022
CNR number	PBJL010059442022
Date of Institution	23.05.2022.
Date of Order	10.06.2022

Gurpal Singh @ Pala, aged about 32 years, son of late Mit Ram, resident of Mohalla Ranghran, Nurmahal, District Jalandhar.

...Accused/applicant

Versus

State of Punjab

...Respondent

FIR No. 36 dated 18.04.2022
U/S 22, 61, 85 NDPS Act,
Police Station Nurmahal, District Jalandhar.

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

Present: Sh. Jastinder Singh Basra, Advocate for accused/applicant.
Sh. APS Dhillon, Addl. PP for the State.

ORDER:

1. This order of mine shall dispose of first bail application moved on behalf of applicant/accused Gurpal Singh under Section 439 Cr.P.C. 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. Police record perused.

3. Concisely Stated, on 18.04.2022, after having secret information, accused was apprehended on a motorcycle, by a police party headed by SI Paramit Singh, while carrying a polythene bag. From the search of polythene bag 10 strips of Trakem-100 containing

10 tablets each, 10 strips of Trakem-100 containing 10 tablets each and five strips of Trakem-100 containing 10 tablets each i.e. 250 tablets along with 58 strips of Erazol 0-5 containing 10 tablets each i.e. 580 tablets were recovered.

4. Learned counsel for the applicant/accused has vehemently contended that accused has been falsely implicated in the alleged crime by planting a false recovery. Accused is lingering in custody since 18.04.2022. So, accused may be released on bail pending trial.

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

6. Having considered the arguments of both sides, in light of record available on file, I have found that the alleged recovery of 25 strips of intoxicant tablets make Trakem-100, having 10 tablets each i.e. 250 tablets containing Tramadol Hydrochloride, as per the report of Forensic Science Laboratory Punjab with an average weight of 192 mg, containing Tramadol Hydrochloride, which is a narcotic substance i.e. $250 \times 192 = 48.44$ gm as well as 58 strips of Erazol 0.5 having ten tablets each i.e. 580 tablets with an average weight of 118 mg containing Alprazolam, which is a narcotic substance, as per the report of Forensic Science Laboratory i.e. $580 \times 118 = 68.40$ has been detected in the sample parcel. Alleged recovery of Alprazolam and Tramadol Hydrochloride falls in the category of non commercial quantity.

7. Applicant/accused is lingering in custody since 18.04.2022. It will take considerable time in conclusion of trial. No useful purpose will be served by detaining the applicant/accused behind the bars indefinitely.

8. So, without commenting upon the merits of the case, applicant/accused Gurpal Singh 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 concerned Court/Duty Judge/Vacation 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.

9. The bail application stands, accordingly, allowed.
Bail application file be tagged with remand papers.

Pronounced.
Dt 10.06.2022.

(Lalit Kumar Singla)
Vacation Judge-cum-JSC, Jalandhar.
UID No. PB0104.

Deepak Dogra