

State Vs. Malkit Singh @ Sohan

Present : Sh. R.P.S.Sidhu, Advocate, counsel for accused/ applicant
namely, Malkit Singh @ Sohan son of Chamkaur Singh.
Shri Anshuman Syal, Additional PP for State

ORDER

Heard on the application for bail under Section 439 of CrPC, moved on behalf of accused/ applicant, namely Malkit Singh @ Sohan son of Chamkaur Singh, in the case bearing FIR No. 37 dated 22.6.2023, under Section 22 & 29 of NDPS Act, P.S. Ajitwal, District Moga.

2. As per allegations in the FIR, on 22.6.2023, in the area of Ajitwal, 220 loose tablets were recovered from conscious possession of the accused/ applicant and since then he has been in custody.

3. I.O. ASI Sukhdev Singh appeared and suffered a statement that as per memo of recovery, on 22.06.2023, in the area of Ajitwal, 220 loose tablets were recovered from the possession of the accused/ applicant and as per report of FSL, salt Tramadol Hydrochloride has been detected in the recovered substance and the same falls under the non-commercial category.

4. Additional PP for the State has produced copy of report of FSL on record, according to which, the contents of the intoxicating tablets, alleged to have been recovered from the possession of accused/ applicant, were to be that of Tramadol Hydrochloride, each tablet having average weight of 399 mg and total weight of 220 loose tablets works out to be 87.78 gram, which falls under the non-commercial category. Presentation of challan and thereafter, conclusion of trial shall

take considerable time. Criminal liability of the accused/ applicant, if any shall be determined on the culmination of the trial. No useful

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purpose would be served by keeping the accused/ applicant behind the bars for an indefinite period. Hence, the application is allowed and the accused/ applicant is ordered to be released on bail subject to his furnishing bail bonds in the sum of ₹ 30,000/- with one surety in the like amount subject to the following terms:-

1. that accused/ applicant will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
2. that accused/ applicant shall not leave the country without prior permission of the court;
3. that the applicant shall appear in the court on each and every date of hearing;
5. A copy of this order be sent to the accused/ applicant by e-mail through the Superintendent of the Jail concerned.
6. The requisite bail bonds and surety bonds not furnished. Papers be tagged with the remand papers.

**Pronounced in open court
Dated 31.08.2023**

Sanjeev Kumar, Stenographer

**(Sanjeev Kundi)
Judge, Special Court,
Moga.**

UID No. PB-0246