

In the court of Ms. Amandeep Kaur,
Judge Special Court,
Patiala(PB0207)

BA No.1799-2021
CNR No. PBPT01-0005628-2021
Date of Decision: 03.06.2021

Naginder Sahni Versus State of Punjab

Application filed U/s 439 of Cr.P.C for grant of regular bail.

Present: Sh. Mandeep Verma, Legal Aid Counsel for applicant
Sh. CS Bhullar, Addl. PP for State

ORDER:-

1. This order of mine shall decide an application for regular bail moved by the present applicant-accused in case FIR No. 39 dated 05.04.2021, under Section 20/61/85 of NDPS Act, Police Station Sadar, Rajpura, wherein it has been alleged that 6 kg Ganja was allegedly got recovered from the bail applicant.
2. Learned counsel for applicant-accused pressed for bail on the ground that the bail applicant has been falsely implicated in this case and he has been in judicial custody since 05.04.2021. Presentation of challan and completion of trial will take time. Learned counsel for the applicant/accused prayed for bail on these grounds.
3. Learned Addl.P.P. for State opposed the bail application and prayed for dismissal of the same.
4. Heard. As per the police record the bail applicant was arrested on 05.04.2021 while he was found in possession of 6 kg Ganja. The above quantity falls in non commercial category. The completion of

investigation, presentation of challan and conclusion of trial would take long time. Section 37 of NDPS Act is not attracted and accused is in custody since 05.04.2021. In the prevalent Covid conditions it shall take long time for disposal of the case. No useful purpose would be served by detaining the applicant-accused into custody for an indefinite period as pre-trial detention is never considered to be just in the interest of justice.

5. Keeping in view these facts and circumstances, application filed by applicant-accused is hereby allowed and he is ordered to be released on regular bail on furnishing the bail bonds in the sum of Rs.1,00,000/- with one local surety in the like amount. At this stage, learned counsel for the bail applicant requested that the bail applicant belongs to out of District as such he could not arrange the local surety today and further requested for release him on personal bonds and assured the Court to furnish the bail bonds/surety bonds on the next date of hearing. Request considered and allowed. Bail applicant be released on personal bonds with the directions to furnish the bail bonds/surety bonds within 15 days from today, failing which, this order shall automatically be cancelled. Copy of this order be placed on remand papers, whereas bail application file be consigned to the record room.

Date of order: 03.06.2021

Rakesh Mittal,
Stenographer I

Amandeep Kaur
Judge Special Court, Patiala
UID NO. PB0207