

IN THE COURT OF SH. **SANDEEP SINGH JOSSAN (PB0150)**,
JUDGE SPECIAL COURT, HOSHIARPUR

B.A. No. 1782/2023
CNR No. PBHO010050792023
Decided on: 14.7.2023

State of Punjab

Versus

Baljinder Singh Sandhu @ Babba aged 50 years, son of Avtar Singh, r/o
Surapur, Mukho Mazara, PO Bombali, Mahilpur, Hoshiarpur.

FIR No. 47, dated 12.6.23,
U/s 22/61/85 of NDPS Act,
P.S. Chabbewal, District Hoshiarpur.

Present: Sh B.S. Riar, cl for the accused.
Addl. PP for the State.

ORDER

1. This order of mine shall disposed of application filed by the petitioner for grant of interim bail in case F.I.R. No.47, dated 12.6.23, u/s 22/61/85 of NDPS Act, P.S. Chabbewal, District Hoshiarpur.

Story of the prosecution is that police party nabbed two persons along-with Aactiva scooty on the basis of suspicion and they were apprised of their legal rights by SI to be searched as the SI had apprehension of having some intoxicant in their possession, but accused reposed faith in SI. Then from the search of said persons, i.e. from Baljinder Singh @ Babba 170 gram intoxicant substance and from Paaramjit Singh @ Pammi 210 gram intoxicant substance was recovered. As such, present FIR was registered.

2. Learned counsel for the accused submitted that accused/ applicant has been falsely implicated in this case. The alleged recovery has already been affected, and as such accused/ applicant is no more required for further investigation. Moreover the alleged recovery appears to be non-commercial

quantity and report of chemical examiner has not yet received. That, no useful purpose will be served by keeping the accused behind bars as it will take long time to produce the challan.

3. I have heard learned counsel for the accused, learned Addl. Public Prosecutor for the State and have gone through the file carefully.

As per FIR in question, accused Baljinder Singh Sandhu was found in conscious possession of 170 gram intoxicant substance. The nature of recovery can be ascertained only after receiving the report of Chemical Examiner. The accused is in custody since 12.6.23. As such, keeping in view the period of custody, the grounds mentioned in the bail application and the fact that the report of Chemical Examiner is yet to be received, the accused is granted interim bail till the date of receiving Chemical report on furnishing his bail bond in the sum of Rs.50,000/- with one surety in the like amount. It is made clear that in case, on receiving chemical report, the quantity recovered from the possession of the accused is found to be in commercial in nature, then, the bail order passed by this court today, shall stand cancelled automatically and the accused shall be required to surrender in the court. With these observations bail application under reference stands disposed of.

Accused shall not leave India without prior permission of the court; The accused shall continue appearing in Court unless appearance is specifically exempted.

Copy of this order be placed with the remand papers and this file be consigned to the record room.

Pronounced:
14.7.2023

Sandeep Singh Jossan
PB0150
JSC/ Hoshiarpur.

*typed by Mukesh Chander,
Stenographer Gr-I*