

In the court of Sh. Amit Kumar Garg, Judge Special Court, Hoshiarpur.
(UID No. PB-0260)

CIS No.BA/1785/2025
CNR No: PBHO010051702025
Date of Institution: 03.07.2025
Date of order: 10.07.2025

Hussan Lal @ Gora aged 23years S/o Ram Pal R/o Ajram, PS Mehtiana,
District Hoshiarpur.

...Applicant/accused

Versus

State of Punjab

..Respondent

FIR No.54 dated 03.06.2025
Under Section 22-61-85 of NDPS Act
Police Station: Mehtiana, District Hoshiarpur.

First application for regular bail U/s 483 BNSS

Present: Sh.Vaneesh Rai, Advocate for the applicant-accused.
Sh. NS Gill, Ld. Addl. PP for the State.

ORDER

1. This order shall dispose of an application for grant of regular bail for an offence committed under Section 22-61-85 of NDPS Act, Police Station Mehtiana, District Hoshiarpur.

2. Ld. Counsel for applicant/accused argued that the accused-applicant is innocent and he has been falsely implicated in the present case. He further argued that accused-applicant is in custody since 03.06.2025. He further argued that the alleged recovery effected from the accused is only of 80 loose intoxicant tablets which falls within the ambit of non commercial quantity. He further argued that the police will take a long time to present the challan in the Court and it will take further long time for the conclusion of

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the trial and no useful purpose will be served by keeping the applicant in jail for indefinite period and lastly prayed that the applicant/accused may kindly be released on bail during the trial of the above said case.

3. On the other hand, Ld. Addl. PP for the State opposed the bail application and submitted that accused has committed serious offence and lastly prayed that the bail application may kindly be dismissed.

4. I have heard the learned counsel for the applicant/accused and learned Addl. PP for the State and perused the record on the case file.

5. Perusal of the file reveals that present FIR was registered against the applicant/accused for the recovery of 80 loose intoxicant tablets from the polythene envelope which he had thrown on the ground. Report of FSL has not been received in this case. ASI Kaushal Chander, No.1264/HPR, PS Mehtiana, appeared and suffered a statement that he has brought the police record pertaining to the present case. He further stated that this is the first regular bail application of the accused-applicant. No other bail application is pending or decided by any other court. Two other FIRs have been registered against the accused-applicant and list of these FIRs placed on record is Mark A. Perusal of said list shows that, out of both these FIRs, one FIR is U/s 457, 380, 411 IPC and the another FIR is U/s 331(1), 305, 317(2) BNS. So, in the given circumstances, this court is of the view that accused is liable to be admitted to bail as he is in custody since 03.06.2025. This Court is of the view that it is yet to be ascertained that whether the intoxicant tablets allegedly recovered from the accused/applicant falls under commercial or non commercial quantity.

Accordingly the accused is admitted to bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the Learned Illaqa/Duty Magistrate concerned. However it is made clear that if on the receipt of Forensic Science Laboratory, if the quantity of contraband is found to be commercial in nature, in that event the bail order shall shall cease to operate and applicant shall surrender in the Court within the period of 15 days. Papers be attached with the remand papers.

Announced in open court:
Dated 10.07.2025

Rakesh Kumar, Steno

(Amit Kumar Garg)
Judge, Special Court
Hoshiarpur
UID No. PB0260

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