

In the court of Sh.Muneesh Arora, Judge Special Court Patiala.

CIS No.	BA-1797-2022
CNR No.	PBPT 010057692022
Date of Decision	7.7.2022

Badal Singh aged about 24 years son of Bhupinder Singh, resident of village Aakar, PS Kheri Gandian, Tehsil Rajpura District Patiala.

...Applicant-accused

Versus

State of Punjab.

...Respondent

FIR No. 34 dated 11.5.2022
U/s 15/22 the Narcotic Drugs and Psychotropic Substances Act, 1985.
Police Station:City Rajpura

Application for bail under Section 439 of the Code of Criminal Procedure.

Present:
Sh. Rohit Kumar Adv. Ld. Counsel for applicant-accused.
Sh. Harminder Singh Id. Public Prosecutor along with ASI Harjinder Singh.

Order:

1. The accused/applicant has filed the instant application under Section 439 of the Code of Criminal Procedure. ASI Harjinder Singh has made statement that no bail application of the applicant regarding the present FIR is pending before Hon'ble High Court nor any bail application regarding this applicant has been decided by this court.
2. Arguments are heard. Learned counsel for the accused has argued that accused-applicant is an innocent and the police has falsely implicated

in this case. In fact, no recovery was made from the applicant, who is in custody since 11.5.2022. It is a case of non-commercial quantity. Conclusion of trial will take long time and no useful purpose would be served by detaining him any more in custody. The applicant undertakes to abide by the conditions, if imposed by this Court and he may kindly be granted concession of bail.

3. On the other hand, learned Public Prosecutor for the State has hotly contested the application and has stated that though it is a case of non-commercial quantity, the applicant is not entitled to get concession of bail. His bail application deserves dismissal.
4. This Court has heard the learned counsel for the applicant, learned Addl. Public Prosecutor for the State and perused the record. As per prosecution version, recovery of 4 Kg Poppy husk and 340 intoxicating tablets were made from the applicant on 11.5.2022. The FSL report is received to the effect that salt of Tramadol Hydrochloride was found. The average weight of the tablet is shown in report is 374mg/tablet. It is a case of non-commercial quantity. Conclusion of trial will take sufficient time and no useful purpose would be served by detaining him in custody. In these circumstances, this Court is of the considered view that the applicant is entitled to get concession of bail. Therefore, her application is allowed and he is ordered to be released from custody on furnishing his personal bail bond in the sum of Rs.50,000/- (Fifty Thousand) with one surety in the like amount to the satisfaction of Illaqa Judicial Magistrate/Duty Magistrate subject to the following

conditions:-

- (1) That the applicant shall not leave the country without the prior permission of the Court;
- (2) That the applicant shall make himself available for interrogation by a Investigating Officer as and when required;
- (3) That the applicant shall 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;
- (4) That the applicant shall regularly attend the hearings before the trial Court.

5. File of this bail application be attached with the remand papers.

**Pronounced in open Court,
On 7.7.2022**

Narinder Sharma

Stenographer- Grade I

**(Muneesh Arora)
Judge, Special Court,
Patiala.**

UID No.PB0135