

In the Court of Ms. Gurdarshan Kaur Dhaliwal.
Judge, Special Court, Kapurthala

CNR No.PBKP010046462018
BA No.1728 of 10.09.2018
FIR No.164 dated 28.08.2018
U/s 22/61/85 NDPS Act
P.S. City, Phagwara, Kapurthala,
District Kapurthala,

Decided on: 24.09.2018

Raj Kumar son of Sarwan Ram, aged about 42 years, R/o Gali no.6,
Sahibzada Ajit Singh Nagar, Baba Gadhia Phagwara, P.S.City, Phagwara,
District Kapurthala.

....Applicant/accused.

Versus

State of Punjab

....Respondent

Application for interim bail

Present:- **Sh. R.S.Dhillon, Advocate-for the applicant-accused.**
Smt. Aarti Mehta, ld. Addl. P.P. for the State

ORDER

1. Record received. Heard on the application for bail. Learned counsel for the accused-applicant contended that accused-applicant is innocent and has not committed any offence and is not involved in any manner in the alleged crime and he may be granted bail.
2. Learned Addl. P.P for the State opposed the bail application on the ground that offence against the accused is serious in nature and therefore the application may be dismissed.
3. I have heard learned Addl. P.P for the State, learned defence counsel and gone through the record.
4. Accused-applicant has allegedly been found in conscious possession of **350 intoxicant tablets and 3 injections of AVIL and 3 injections of BUPREPROPHINE**. The report of Forensic Science Laboratory is awaited and accused is undergoing custody since

28.08.2018. Learned counsel for the accused-applicant contended that it is held by Hon`ble Punjab &Haryana High Court, Chandigarh in Judgment cited as Inderjeet Singh @ Laddi Vs State of Punjab 2014 (3) RCR (Criminal)-953 and Ravinder Singh @ Rinku Vs State of Punjab CRM No.1379 of 2013 that in case there is delay in report of the Chemical Analysis, this would entitle the accused to the interim bail till the report is finally received.

5. Considering the allegations in the FIR and arguments of learned counsel for the applicant-accused and the ratio of law laid-down in Judgment cited above, applicant-accused Raj Kumar is ordered to be admitted to interim bail till the report of Forensic Science Laboratory is received on his furnishing personal bail bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate and on the following conditions:-

1. He will not tamper with the prosecution evidence;
2. He will appear in the Court each on each and every date of hearing to be fixed in the trial;
3. He will not leave the territory of India without prior permission of the Court.
4. He will surrender his passport in the Court, if any. In case he is not possessing any passport, he will furnish an affidavit to this effect.

6. It is further ordered that this bail order shall remain in existence till the report of chemical examiner is received and subject to the contents thereto. Now to come up on 31.10.2018 for awaiting report. Bail application be annexed with the remand papers.

Date of order:24.09.2018
(Rakesh)
Next date:31.10.2018

(Gurdarshan Kaur Dhaliwal)
Judge Special Court,
Kapurthala
(UID No.PB0146)

Purpose

Raj Kumar Vs. State of Pb. (BA 1728-2018).

Present:- Sh. R.S.Dhillon, Advocate, for the applicant-accused.
Smt. Aarti Mehta, Ld. Addl. P.P. for the State

Heard. Vide my separate detailed order of even date, the interim bail application stands allowed as per terms of the main order. Now to come up on 31.10.2018 for awaiting report. Bail application file be annexed with the remand papers.

Date of order:24.09.2018
(Rakesh)
Next date:31.10.2018

(Gurdarshan Kaur Dhaliwal)
Judge Special Court,
Kapurthala
(UID No.PB0146)

Purpose