

**IN THE COURT OF JAGMOHAN SINGH SANGHE
JUDGE, SPECIAL COURT, FAZILKA.
(UID NO.PB0447)**

Case Details

Case Type	BA	
Filing No.	324/2022	Filing Date : 21.01.2022
Regn. No.	BA/174/2022	Dated : 24.01.2022
CNR No.	PBFZC0-000393-2022	
Date of order	01.02.2022	

Baldev Singh, aged 46 years, son of Dildar Singh, resident of Charge
Wali Basti, Ward No. 8, House No. 279, Near Girls College, Kotkapura.

...Applicant.

Versus

State of Punjab

...Respondent.

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FIR No. 174 dated 28.12.2021  
U/s. 15, 61, 85 of NDPS Act.  
Police Station Khuian Sarwar.

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First Bail Application Under Section 439 Cr.PC.

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Present : Sh. Anil Setia, Advocate  
counsel for applicant-accused Baldev Singh.  
Ms. Shikha Dhal, Additional PP for the State.

**ORDER**

1. By this order, this Court intends to dispose off 1<sup>st</sup> bail  
application under Section 439 Cr.PC having been filed by applicant

Baldev Singh.

2. Notice of the bail application was served upon the State through learned Additional P.P. along with copy of bail application, who received the same, appeared and contested the bail application on merits.

3. I have heard the respective submissions of both the sides and carefully gone through the police file.

4. Perusal of the police file reveals that applicant was arrested on 28.12.2021 and was sent to judicial custody. Recovery of 10 Kgs of Poppy husk is stated to have been effected from his possession which recovery apparently falls within the ambit of non-commercial quantity of this contraband as has been reflected in the schedule appended with NDPS Act. The Judicial custody of the accused shall serve no useful purpose as presentation of challan and conclusion of trial is likely to take considerable period.

5. Resultantly, In view of the circumstances, this application for bail under Section 439 Cr.P.C. stands allowed. The applicant is ordered to be released from custody on his furnishing bail bonds to the sum of Rs.50,000/- with one surety of the like amount subject to the following conditions :-

- A. *That the applicant shall appear before the Trial Court on each and every date of hearing.*
- B. *That the applicant shall not directly or indirectly induce or coerce any witness of prosecution so as to dissuade him from deposing as witness in the Court.*
- C. *That the applicant shall not leave India without prior permission of the Court.*

6. Police record be returned and papers of bail application be attached with the remand papers/ main file.

-Sd/-

**Pronounced in open court.  
Dated : 01.02.2022**

**(Jagmohan Singh Sanghe),  
Judge, Special Court,  
Fazilka. (UID No.PB0447).**

**\*Sunil Kumar  
Stenographer Grade-I.**