

CNR No: PBPT010005812020

CIS No: BA/175/2020

PRINCE SINGH VS STATE OF PUNJAB etc.

Bail Application under Section 439 Cr.PC

Present: Sh. Buta Singh, Advocate for the accused/ applicant
Sh.Charanjit Prashar, Additional PP for the State.

ORDER

Police record produced. The same has been perused.

2. As per the prosecution version on 19.12.2019 police of PS Urban Estate, Patiala, apprehended the applicant with 10 gram Smack in his possession. So, FIR was registered.

3. It is argued by the learned counsel for the accused/ applicant that the applicant is innocent and falsely implicated in this case. The alleged recovery has already been effected which does not fall in commercial quantity. The applicant is in judicial custody since 19.12.2019. Nothing more is to be recovered from the applicant. The conclusion of investigation and presentation of challan is likely to take time. Moreover, the mandatory provisions of the NDPS Act are not complied with. The applicant will abide by the terms and conditions of the bail order, if released on bail.

4. Whereas, the learned Public Prosecutor has opposed the bail application.

5. Heard. Record perused. As per record, only 10 gram Smack has been recovered from the applicant. The applicant is in custody since 19.12.2019. The conclusion of investigation presentation of challan is likely to take time. The recovery does not fall in commercial quantity.

6. In view of the above mentioned facts and circumstances, the application is allowed and the applicant is ordered to be released on bail on furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Illaqa/Duty Magistrate, with undertaking that he will appear regularly on each and every date of hearing, will not leave the country without prior permission of the court and will not tamper with the prosecution evidence, while on bail. Police record be returned. Bail papers be attached with the remand papers.

Date of Order: 20.01.2020

Braham Kumar
Stenographer-I

(Shiv Mohan Garg)
Judge Special Court
Patiala UID No.PB0164