

**In the Court of Jaswinder Sheemar, Judge, Special Court, Hoshiarpur.
(UID No.PB-0093).**

BA No.1709 of 4.7.2023.
CNR No:PBHO-01004920-2023.
Decided on: 7.7.2023.

FIR No.301 dated 26.11.2022.
Under Sections 15-18-21-22/61/85 of ND&PS Act.
Police Station Tanda, District Hoshiarpur.

Application for anticipatory bail Under Section 438 Cr.P.C.

Rinku, aged 30 years son of Rajuvir Singh, resident of Ward No.4, Darapur
Byepass, Urmur, Police Station Tanda, District Hoshiarpur.

.....Bail-applicant.

Versus

State of Punjab.

.....Respondent.

Present: Shri R.S Abhi, Counsel for the bail applicant.
Shri Charanjit Singh, Addl. Public Prosecutor for the State.

ORDER:

1. This is a **first anticipatory** bail application filed on behalf of **Rinku (bail applicant)** in the above referred FIR case.
 2. **Notice** of the bail application was issued to the State through Learned Additional Public Prosecutor of the State, who put in appearance and contested the bail application.
 3. The police record was requisitioned and perused. Report of Ahlmad has also received, vide which it is reported that no such bail application is pending or decided before Hon'ble High Court, as verified from website.
 4. I have heard the Learned Additional Public Prosecutor for State and the Learned Counsel for bail applicant and have gone through the police record, with their kind assistance.
 5. From the record, it comes out to surface that on 26.11.2022, when the police party while on patrol duty, in order to search for miscreants, was present at Tanda bridge, there informer gave information
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against good number of persons including Rinku (bail-applicant) indulged into supply of intoxicants to young persons and they are already booked a number of cases in different police station, if raid be conducted, they could be intercepted and cache of intoxicants could be recovered. Therefore, finding secret information believable, a written message was sent and present FIR was registered.

6. It is observed that there was merely tip off against the bail-applicant. The co-accused Raja stood already granted anticipatory bail by the Learned Predecessor of this Court, therefore, on the basis of parity. Therefore, I deem this case fit where the bail-applicant can be said to be entitled to anticipatory bail. Therefore, the anticipatory bail application filed on behalf of bail-applicant Rinku stands **allowed**, subject to the condition that the bail-applicant shall join the investigation with the Investigating Officer, within 10 days, so as to facilitate proper investigation and in the event of doing so, he shall be admitted to anticipatory bail, subject to the conditions of Section 438 (2) of Cr.P.C. It is made clear that in case, the bail-applicant failed to join the investigation within the stipulated time, then this order shall ceased to have any effect and there will be no extension of the period.

7. The observation made by undersigned vide this order shall have no reflection of mind on merits.

8. Bail application file be consigned to the Judicial Record Room, Hoshiarpur, on its completion.

Pronounced in open Court:
Dated: 7.7.2023.
'Gautam Manocha JW (SG)'

(Jaswinder Sheemar),
Judge, Special Court, Hoshiarpur.
(UID No.PB-0093).

Rinku Versus State. BA CIS No.1709 of 4.7.2023.
(CNR No.PBHO01-004920-2023).

Present: Shri R.S Abhi, Counsel for the bail applicant.
Shri Charanjit Singh, Addl. Public Prosecutor for the State.

Police record produced. Arguments heard. Vide my separate detailed order of even date, this first anticipatory application filed by bail-applicant Rinku, under Section 438 Cr.P.C, has been **allowed**, as detailed therein. Police record returned. Bail application be consigned to the Judicial Record Room, Hoshiarpur, after its completion.

Pronounced in open Court:

Dated: 7.7.2023.

‘Gautam Manocha JW (SG)’

(Jaswinder Sheemar),
Judge, Special Court, Hoshiarpur.
(UID No.PB-0093).