

**IN THE COURT OF SHRI PUSHVINDER SINGH, UID No.PB0116,
JUDGE SPECIAL COURT, AMRITSAR.**

BAIL APPLICATION NO. : 1717 OF 2019
CNR NO. : PBAS01-010551-2019
DATE OF INSTITUTION : 29.03.2019.
DATE OF ORDER : 30.04.2019

STATE Vs 1. Lovepreet Singh son of Mangal Singh, Caste Jatt,
 resident of Jyotisar Mohalla, Jandiala.
 2. Rajandeep Singh son of Mangal Singh, Caste Jatt,
 resident of Jyotisar Mohalla, Jandiala.

APPLICANTS-ACCUSED

FIRST INFORMATION : 240 of dated 28.10.2018
REPORT NO.

UNDER SECTIONS : 473,379,411,34 IPC and
 21/22 of the Narcotic
 Drugs & Psychotropic
 Substances Act,1985

POLICE STATION : Jandiala, Amritsar

Ist Bail application under section 439 Cr.P.C for the grant of
 regular bail.

PRESENT:-Shri Gagandeep Singh Rana, counsel for applicants-accused.

Shri Onkardeep Singh Malhi, Addl.P.P. for the State.

ORDER

1. Applicants-accused Lovepreet Singh and Rajandeep Singh, aforesaid, have filed the present bail application under section 439 Cr.PC in the above-mentioned FIR, for the grant of regular bail stating that they are innocent and have been falsely implicated in the present case. They are confined in the Amritsar Central Jail since 28.10.2018. There is no evidence

to connect them with the alleged offence and no over act has been attributed to them in the present case. The alleged recovery is non commercial. Nothing has been recovered from them. Conclusion of trial is likely to take considerable time and no useful purpose would be served by detaining them behind the bars for indefinite period. Therefore, they may be granted regular bail.

2. In pursuant to notice issued to State, learned Addl.P.P has put appearance on behalf of the State and contested the bail application. Investigating Officer also came present alongwith Police file.

3. Learned Additional Public Prosecutor for State has opposed the bail application and submitted that grave and serious allegations have been levelled against the applicants/accused. On these assertions, he has prayed for dismissal of bail application.

4. On the other hand learned counsel for the applicants-accused argued that applicants-accused have been implicated in the false case. They are in custody since 28.10.2018. No useful purpose will be served by detaining the applicants-accused behind the bar for indefinite period. Therefore, they may be granted regular bail.

5. From the perusal of the Police file, I find that the applicants-accused were allegedly found in conscious possession of 105 loose intoxicant tablets on 28.10.2018 without any legal permit or licence. Both the above-mentioned accused are also alleged to have stolen one Moped and put fake number put on the same. The applicants-accused have already been sent to judicial custody on the request of the prosecution. The applicants-accused is in custody since 28.10.2018. Challan has already been presented

against the accused. As per report of Forensic Science Laboratory, Mohali, the alleged recovery falls under the non commercial category. The applicants have alleged false implication. Accordingly, I find that without proving their guilt, the applicants-accused cannot be kept in Jail for unlimited period. Accordingly, present bail application is allowed and accused-applicants are ordered to be released on bail on their furnishing personal bail bonds in the sum of Rs.40,000/- each with one surety in the like amount each subject to following conditions:-

- i. That the applicants will appear in the Court on each and every date of hearing to be fixed in the trial unless exempted.
- ii. That the applicants will not tamper with the prosecution evidence and will not influenced the witnesses of the prosecution in any manner
- iii. That the applicants will not leave the country without prior permission of the Court.

5. Anything observed herein will have no effect on the merits of the case. Bail application be attached with the remand papers.

PRONOUNCED IN OPEN COURT.

DATED : 30.04.2019

***(PUSHVINDER SINGH)
JUDGE, SPECIAL COURT,
AMRITSAR
UID No. : PB0116***