

**IN THE COURT OF SH. JASPAL VERMA,
JUDGE, SPECIAL COURT, FAZILKA.
(UID No.PB0136)**

Bail Application No.3503 of 2019

CIS No. BA-1641/2019

CNR No.PBFZC0-004480-2019

Date of Order: 13.9.2019

Vikas Kumar son of Satpal, resident of Radha Swami Colony, Fazilka,
Tehsil and District Fazilka.

-----Applicant/Accused

Versus

State of Punjab.

-----Respondent

FIR No.102 of 26.7.2019

U/S 22/61/85 NDPS Act,

PS City Fazilka.

Application for grant of bail under Section 439 Cr.P.C.

Present: Sh. S.K. Makkar, Advocate for applicant/accused.
Sh. Gurbaj Singh, Addl.PP for the respondent/State.

ORDER

1. This order of mine shall dispose of regular bail application moved by the applicant/accused ***Vikas Kumar*** in this case bearing FIR No.102 of 26.7.2019 U/S 22/61/85 NDPS Act, PS City Fazilka, District Fazilka, wherein it is submitted that the applicant/accused has been involved in this case falsely and is in custody since 26.7.2019. Nothing is to be recovered from the applicant/accused. The recovery has already been effected from the applicant/accused and challan has not been presented in the court. The report of chemical examiner is yet to be received. The applicant/accused is ready to furnish the bail bonds to the satisfaction of this court. So, he be released on bail.

2. Notice of the bail application was given to the State and police record was called which is produced by SI Krishan Lal of P.S. City Fazilka, District Fazilka. No reply to the bail application was filed. However, APP for the State orally contested the bail application.

3. I have heard learned counsel for the applicant/accused, learned Addl. PP for the State and perused the police file brought by SI Krishan Lal from Police Station City Fazilka, District Fazilka very

carefully.

4. As per the FIR, the applicant/accused alongwith his co-accused were found in possession of 1500 Tablets of Calvidol-100SR and 800 Tablets of Kammol-100SR. The applicant/accused could not show any license or permit for keeping the same in his possession. The applicant/accused is in custody since 26.7.2019. The report of Chemical Examienr is yet to be received. However, recovered quantity is 1500 Tablets of Calvidol-100SR and 800 Tablets of Kammol-100SR seems to be falls under commercial quantity. Grant of bail to such an accused, who is found in possession of commercial quantity of Narcotic Substance is specifically barred under Section 37 of NDPS Act. So, in my view, no ground is made out to release the applicant/accused in this case. Accordingly, the present bail application stands dismissed. Police record be returned. File be attached with the remand papers.

Pronounced in open Court.

Dated: 13.9.2019

Deepak Kumar

Stenographer Gr.II

Sd/-

(Jaspal Verma)

Judge, Special Court

Fazilka, UID No.PB-0136

Vikas Kumar Vs. State of Punjab
BA-1641/2019

Present: Sh. S.K. Makkar, Advocate for applicant/accused.
Sh. Gurbaj Singh, Addl.PP for the respondent/State.

Arguments heard. Vide my separate detailed order of even date, the present bail application has been dismissed. Police record be returned. File be attached with the remand papers.

Pronounced in open Court.

Dated: 13.9.2019

Deepak Kumar

Stenographer Gr.II

Sd/-

(Jaspal Verma)

Judge, Special Court

Fazilka, UID No.PB-0136