

**IN THE COURT OF KAWALJIT SINGH,
JUDGE SPECIAL COURT, TARN TARAN.
(UID NUMBER PB0155)**

Case Type	BA
Filing Number	2712/2022 Filing Date: 02.07.2022
Registration Number	1683/2022 Date of Registration: 04.07.2022
CNR Number	PBTT0100-3343-2022
Date of Decision	11.07.2022

Gurpreet Singh alias Gopi, aged 27 years, son of Sarmukh Singh, resident of village Jodhpur, Tehsil and District, Tarn Taran.

---Applicant-accused

Versus

State of Punjab

---Respondent

FIR No.102 dated 21.05.2022
Under Section 22 (B) NDPS Act
Police Station, Sadar Tarn Taran

BAIL APPLICATION UNDER SECTION 439 Cr.P.C.

Present: Shri G.S Sandhu, Advocate for the applicant
Shri Gurpreet Singh Rana, Additional P.P. for State

ORDER

Applicant has filed the instant bail application under Section 439 of Cr.P.C., seeking regular bail in the above noted case.

2. It is argued by the learned counsel for the applicant that applicant is innocent. He has not committed any offence but he has been falsely implicated as 300 tablets in loose form and without any label have been planted upon the applicant. The report of FSL is yet to be received and only then it could be ascertained about the contents of the salt and fact as to if the same falls under NDPS Act or not. Otherwise also challan is yet to be presented and the conclusion of trial is going to take considerable period of time. Therefore, it is prayed that the applicant may kindly be granted the concession of regular bail or may kindly be granted the concession of interim bail.

3. On the other hand, learned Additional Public Prosecutor for the State opposed the bail application and prayed that bail may kindly be dismissed. However it is conceded that the report of FSL is yet to be received.

4. As per allegations of prosecution, on 21.05.2022, 300 tablets in loose form and without bearing any label were recovered from the conscious possession of the applicant. Report of the chemical examiner is yet to be received and normally it takes 2/3 months or even more for report to be received due to the huge pendency of work in the laboratory and only then it can be ascertained about the salt of these tablets and also as to if the contents thereof would fall under commercial segment or under non-commercial segment. Applicant is in custody since 21.05.2022. No useful purpose is going to be served by keeping the applicant behind the bars till the time contents of the salt contained in the alleged recovered tablets is not revealed. In these circumstances, applicant is ordered to be released on interim bail on her furnishing bail bonds in the sum of Rs.50,000/-, with one surety in the like amount, subject to the following conditions:

- 1) That the applicant shall not tamper with evidence.
- 2) That the applicant shall surrender in the court in case, on receipt of report of chemical examiner, the quantity of the salt from the recovered tablets falls under the commercial segment and in case of violation on the part of the accused to surrender, the Court shall be at liberty to cancel the bail order of the applicant.
- 3) That the applicant shall not leave the country without prior permission of the Trial court.

5. Copy of this order be sent to SHO/IO concerned with the direction to send report of chemical examiner immediately to this court. In case, on receipt of report, quantity of narcotic drug or psychotropic

substance is found to be commercial, this order granting interim bail shall be deemed to have come to an end automatically and applicant shall surrender before the court without any further order of cancellation of bail otherwise same shall be considered to have become absolute. However, it is made clear that observation made herein above shall not be construed as an expression on the merits of the main case. The bail application file be placed on record/consigned to the record room.

Announced: 11.07.2022

**Kawaljit Singh,
Judge Special Court,
Tarn Taran.
UID Number PB0155**

Rahul Sharma, Stenographer Grade-II