

Present :- Shri Dalip Singh, Advocate for applicant-accused
(through video conferencing).
Shri Anshuman Syal, Additional Public Prosecutor for State
(through video conferencing)

Heard. Applicant-accused had been nominated under Section 29 of NDPS Act on the basis of confessional statement of his co-accused Balwinder Singh @ Binder son of Maara Singh. 130 tablets of Clovidol SR-100 have been recovered from applicant-accused. Applicant-accused is in custody since 23.08.2020. 200 tablets of Clovidol SR-100 had been recovered from possession of co-accused Balwinder Singh @ Binder. Report of Forensic Science Laboratory not received so far. It thus prima-facie appears that recovery of 130 tablets would fall in the category of non-commercial quantity. No useful purpose will be served by detaining applicant-accused further in custody. Completion of investigation will also consume some time. Therefore, in view of law laid-down by our Hon'ble High court in case titled **Inderjit Singh @ Laddy Versus State of Punjab** reported in **2014(3) RCR (Criminal) 952**, applicant-accused namely Kaka Singh is ordered to be released on interim bail on his furnishing bail bonds in the sum of Rs.1,00,000/- with one surety in the like amount, subject to following conditions :-

1. That he shall attend court on each and every date of hearing;
2. That he shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any police officer or tamper with the evidence;
3. That he shall not leave the country without prior permission of court;

Due to situation created by Covid-19 learned Additional Public Prosecutor has admitted that in given circumstances Forensic Science Laboratory is not fully functional and there is no possibility of getting Forensic Science Laboratory report in near future. In the said circumstances no useful purpose will be served by keeping present regular bail application pending. Applicant-accused already stands released on interim bail on furnishing bail bonds. So present regular bail application is disposed off with the direction that as and when FSL Report is received applicant-accused will be within his legal right to move regular bail application. Papers be tagged with remand papers.

Pronounced.
23.09.2020.
Jagjit Singh Panesar, Stenographer-II

(Jagdeep Sood)
Judge, Special Court
Moga (UID No.PB00169).