

IN THE COURT OF SH. DINESH KUMAR,
JUDGE, SPECIAL COURT,
MANSA.
(UID NO.PB0445)

Bail Application No.566 of 29.09.2021
CIS No. BA/1430/2021
CNR No.PBMN01-005683-2021
Date of Order: 06.10.2021

Karamjeet Singh aged 38 years son of Sukhdev Singh resident of ward no.4,
Bhikhi, District Mansa, now in Judicial Custody.

..Applicant-accused.

Versus.

State of Punjab

FIR No.197 of 01.11.2019,
U/S 22-29-61-85 NDPS Act,
PS Bhikhi, District Mansa.

Second bail application U/s 439 Cr.P.C

Present: Sh.Varinder Kumar Singla, Advocate, for applicant-accused.
Sh.Jasvir Singh, Additional for the respondent-State.

BAIL ORDER

1. This order of mine shall dispose of second regular bail application moved by aforesaid applicant-accused in case FIR No.197 dated 01.11.2019, U/s 22-29-61-85 NDPS Act, PS Bhikhi, Mansa.

2. Learned counsel for the applicant/accused has argued that this is the second bail application of the applicant/accused filed before this Court. In the first bail application, interim bail was granted to the applicant/accused till the receipt of FSL report vide order dated 03.01.2020. On submission of challan, applicant surrendered before this Court. He further argued that applicant/accused has not committed any offence and the

allegations raised by the prosecution are false and concocted one. Applicant surrendered in the Court, on 06.03.2020 and since then, he is in judicial custody and is no more required for further investigation. The trial of the case will take some time to conclude it. With these submissions, it has been prayed that applicant/accused be released on regular bail.

3. Upon notice, Learned Additional Public Prosecutor appeared on behalf of the State and contested the bail application on the ground that the accused was found in possession of commercial quantity of Tramadol and as such, he is not entitled for concession of regular bail.

4. I have heard learned counsel for the applicant-accused, learned Public Prosecutor for the State and have gone through the case file.

5. It may be noticed that this Court vide order dated 03.01.2020, granted interim bail to the applicant till the receipt of FSL report with the direction to the accused to surrender before this Court on receipt of FSL report. On submission of challan, it was transpired that as per FSL report, quantity of contraband recovered from the possession of the accused falls in the zone of commercial quantity and as such, interim bail granted to the applicant/accused was cancelled by this court. Applicant surrendered before this court on 06.03.2020.

6. As per the FIR, applicant-accused was found in possession of 90 strips of Clovidol-100SR, each strip of 10 tablets (total 900 tablets) containing the salt Tramadol from his conscious possession. As per the FSL report, "Tramadol" is the salt in the aforesaid tablets of Clovidol-100SR. The average weight of one tablet was 406.24 mg. Hence, the total weight of 900 tablets of Clovidol-100SR containing the salt Tramadol is 365.616

grams. The salt “Tramadol” is mentioned at serial No. 238 ZH of the schedule attached with the Act and the recovery of more than 250 Grams is commercial in nature. So, the recovered quantity of above said 900 tablets of Clovidol 100 SR from the possession of present accused falls in commercial quantity. In view of bar of section 37 of NDPS Act, no case is made out to grant regular bail to the accused. Accordingly, present bail application stands dismissed. Bail application be attached with the main case file.

Pronounced/06.10.2021

Raj/SG-1

(Dinesh Kumar),
Judge, Special Court,
Mansa.
(UID No.PB0445)

State Vs. Karamjeet Singh

Present: Sh.Varinder Kumar Singla, Advocate, for applicant-accused.
Sh.Jasvir Singh, Additional for the respondent-State.

Arguments heard. Vide my separate detailed order of even date, present bail application is hereby dismissed. Bail application be attached with the main case file.

Pronounced/06.10.2021

Raj/SG-1

(Dinesh Kumar),
Judge, Special Court,
Mansa.
(UID No.PB0445)