

IN THE COURT OF RAKESH KUMAR
UID No. PB-0138
JUDGE SPECIAL COURT
KAPURTHALA

CNR No. PBKP010034772022



Case No. BA/1418/2022

Presented on : 09-08-2022
Registered on : 09-08-2022
Date of Order : 28.10.2022
Next date of hearing : 16.11.2022

Ranjit Singh @ Bhalli, s/o Resham Singh, aged about 28 years, r/o Village Khukhrain, District Kapurthala.

.... Applicant/accused.

Versus

State of Punjab.

..... Respondent.

FIR No.222 of 01.08.2022,
U/s 21/22 of NDPS Act, 1985,
P.S. Kotwali, Kapurthala.

Application for Bail Under Section 438 of Cr.P.C.

Present: Sh.Sukhminder Singh, Advocate for the applicant/accused.
Ms.Aarti Mehta, Addl. Public Prosecutor for the State.

O R D E R

Record perused. **Arguments have been heard** on
anticipatory bail of above referred applicant/ accused Ranjit Singh @

Bhalli in the aforesaid FIR having the allegations of recovery of 04 grams of Heroin and 160 intoxicant tablets on the basis of secret information, allegedly from the house of present applicant/ accused Ranjit Singh @ Bhalli on 01.08.2022, in the area of Village Khukhrain. Now, aggrieved therefrom, the present applicant/ accused Ranjit Singh @ Bhalli has sought his anticipatory bail.

2. The learned counsel for the applicant has argued that the applicant has been falsely implicated in the present case. Neither the applicant was arrested at the spot nor anything was recovered from him. Otherwise, the alleged recovery of contraband has already been effected. Now, the custodial interrogation of applicant is not warranted in any manner. He is ready to join the investigation proceedings.

3. The learned Addl. PP for the State has replied that the gravity of offence warrants thorough probe of the recovery of intoxicants from the house of applicant/ accused by conducting his custodial interrogation. Accordingly, he is not entitled to the concession of anticipatory bail to him.

4. I have heard the submissions made by learned counsel for the applicant/ accused and learned Addl. PP for the State.

5. There are allegations that recovery of 04 grams of Heroin and 160 intoxicant tablets on the basis of secret information, from the house of present applicant/ accused Ranjit Singh @ Bhalli on 01.08.2022. So far applicant/ accused Ranjit Singh @ Bhalli, it has come on record that neither the applicant/ accused was arrested at the spot nor anything was recovered from him. Moreover, the alleged recovery has already been effected, allegedly from the house of applicant/ accused. Therefore, the

formal presence of the applicant/ accused is warranted to give the logical end of that recovery from the non-applicant by conducting the formal investigation proceedings. So, the present applicant/ accused has been found entitled to the concession of exceptional circumstances *i.e.* anticipatory bail.

6. Consequently, without commenting on the merits of the case, the present applicant/ accused Ranjit Singh @ Bhalli is, hereby, directed to surrender before the Investigating Officer/Arresting Officer within **10 days from today** and on his surrender, he will be admitted interim bail on furnishing the bail bonds and surety bonds by that officer to his satisfaction and subject to the compliance of necessary provisions of section 438 (2) of Code of Criminal Procedure. Failing to comply this order within that prescribed period by the applicant/ accused, this order shall stand vacated of interim bail to him.

Let compliance report be awaited for 16.11.2022.

Pronounced in open Court.

Dated:28.10.2022.

Kaushal Kumar

(Directly dictated on computer)

(Rakesh Kumar)

Judge Special Court,

Kapurthala(UID No. PB-0138).