

CNR No. PBMN010035882020

CIS No.BA/1575/2020

State Versus Sham Sunder.

Present: Sh. Ranjeet Singh, Advocate for applicant/
accused.
Sh. B.S. Deol, Addl.PP for the State.

ORDER

File put up before me in view of office order No.108 dated 02.11.2020 passed by the Ld. District and Sessions Judge, Mansa, conveyed vide Endst. No.4343 dated 02.11.2020.

2. Heard and file perused. Accused-applicant has sought regular bail in case having FIR No. 165 of 30.09.2020 U/s 22, 27-A, 21, 29 of Narcotic Drugs & Psychotropic Substances Act, 1985 registered with P. S. City Budhlada, District Mansa, on the averments that he has been falsely implicated in the present case. He is in custody since the date of his arrest and has prayed for releasing him on bail.

3. On the other hand, learned Addl.P.P resisted the application on the ground that intoxicant tablets have been recovered from the accused-applicant and it can be revealed only from the report of the chemical examiner and his bail application should be dismissed.

4. Statement of ASI Rajpal has been recorded. Perusal of the record shows that alleged recovery of 4 vials of Wincirex and 40 tablets of Carisoma has been effected in the present case. Applicant/ accused is in custody since 30.09.2020. Reminders have been issued, but report of chemical examiner has not been received. Though the report of the chemical examiner showing the contents of the contraband salt in these

tablets will reveal the exact salt contained in the same from where it can possibly be deciphered that the recovery falls in commercial or non-commercial quantity. It is uncertain as to when the report will be received from the quarters concerned. In view of the law laid down by the Hon'ble Punjab & Haryana High Court at Chandigarh, in “Inderjit Singh versus State of Punjab” reported in 2014(3) R.C.R. (Criminal) 953 and without expressing anything qua merits of this case, till then accused-applicant Sham Sunder is admitted to interim bail till receipt of report of chemical examiner. Applicant/accused Sham Sunder be released on his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount.

5. It is also made clear that after receipt of report of Chemical Examiner the applicant will surrender before the court and seek regular bail afresh. Bail bond and surety bond not furnished. This file be sent to the concerned court and be attached with the remand papers.

Pronounced.

Dated: 04.11.2020

..Avinash

(Daljit Singh Ralhan)
Judge Special Court,
Mansa/ PB0198.