

IN THE COURT OF RANJIT KUMAR JAIN,
JUDGE, SPECIAL COURT,
PATIALA(PB0077)

BA No.1576/2021
CNR No.PBPT010050972021
Date of order: 24.5.2021

Vijay Kumar @ Khanna aged about 23 years son of Bhag Singh R/o Ward No.11, Bajwa Colony, Near A.C.Global School, P.S. Banur, District S.A.S. Nagar(Mohali) .

.....Applicant/accused

Versus

State of Punjab

FIR No. 22 dated 6.2.2021,
Under Section 22/29/61/85 of NDPS Act,
Police Station Shambu, District Patiala

Application Under Section 439 of Cr.P.C.

Present: Sh. A.S.Chauhan, Advocate, for applicant-accused
Sh. Dev Dutt, Addl. Public Prosecutor for the State

ORDER:-

1. This order of mine shall dispose off bail application as moved by the applicant/accused in the above mentioned case on the grounds that no prima facie case whatsoever is made out against the applicant as the applicant is innocent and has not committed any offence. False FIR has been registered. Applicant is in custody since 6.2.2021 and further detention of applicant would not serve any fruitful purpose. As per FIR 3000 Tablets of lomotil have been falsely shown recovered from the

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applicant. No conscious possession of recovery of tablets has been affected from accused/applicant. All story made by the police is false and concocted story. Investigation qua the present accused/applicant in the present case is complete and now accused/applicant is confined in judicial custody. Challan in this case has not been filed and trial will take long time, therefore, keeping the present accused/applicant behind bars would yield no fruitful. Applicant undertakes to appear before the court on each and every date of hearing and also undertakes not to leave the country without prior permission of the court. Applicant is ready to furnish surety bond/bail bond and undertakes to appear on each and every date of hearing. Prayer is made for allowing the bail application.

2. Notice of bail application was given upon which State has contested bail application. Police file has been called and perused.

3. I have heard learned counsel for the applicant/accused and Addl. Public Prosecutor for the State. In this case upon secret information when Police put naka and arrested accused Vijay Kumar @ Khanna. After complying with the provisions of NDPS Act recovery has been effected of 3000 Intoxicant Tablets of Lomotil which are Narcotics and comes within the commercial quantity. The offence is quite serious. The investigation is at initial stage and if accused/applicant is released on bail at this stage, she will effect investigation and may threat the witnesses which may come

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forward to depose against her. So I do not see any justification to grant bail and same is dismissed. Police record be returned. File be consigned to the record room.

Date of order: 24.5.2021
jaspal singh stenographer-II

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