

**IN THE COURT OF SH. JASPAL VERMA,
JUDGE, SPECIAL COURT,
(UID No. PB0136)
MANSA.**

Bail Application No. 712 of 15.12.2017
CIS No. BA/1571/2017
CNR No. PBMN01-003859-2017
Date of Order: 02.01.2018

State of Punjab

Versus

Dharvinder Singh alias Bhinder aged about 41 years son of Veeru Singh
resident of village Makhewala, District Mansa; Now in Judicial Custody.

.....Applicant-accused.

FIR No. 106 of 20.11.2017,
U/S 15-25-61-85 NDPS Act,
PS Jhunir, District Mansa.

Application for grant of bail under Section 439 Cr.P.C.

Present: Sh. Varinder Singla, Advocate for applicant-accused.
Sh. Tejinder Singh Sidhu, Addl. PP for the respondent-State.

BAIL ORDER

1. This order of mine shall dispose of regular bail application moved by the applicant-accused Dharvinder Singh alias Bhinder in this case bearing FIR No.106 of 20.11.2017 under Section 15-25-61-85 NDPS Act, Police Station Jhunir, District Mansa, wherein it is submitted that the accused has nothing to do with the said offence. He is innocent and has been falsely implicated in this case. He has not

committed any offence and the allegations raised by the prosecution are false and concocted one. He was arrested on 20.11.2017 and since then he is in judicial custody and is no more required for further investigation. The presentation of challan is likely to take considerable time. So, he be released on bail.

2. Notice of the bail application was given to the State and police record was called which is produced from Police Station Jhunir, District Mansa by ASI Sukhmander Singh. No reply to the bail application was filed. However, learned Addl.PP for the State orally contested the bail application.

3. I have heard learned counsel for the applicant-accused, learned Addl. PP for the State and perused the police file brought from Police Station Jhunir, District Mansa very carefully.

4. As per the FIR, the accused along with his co-accused was found in possession of 30 Kgms. of Poppy husk from his conscious possession. The accused-applicant could not show any license or permit for keeping the same in his possession. The accused-applicant is in custody since 20.11.2017. The recovery of more than 50 Kilo Grams is commercial in nature. So, the recovered quantity of above said intoxicated poppy husk from the possession of present accused falls in non commercial quantity. The applicant-accused is not required for further investigation of the case. The presentation of challan and disposal thereof is likely to take considerable time. So, in these circumstances, no useful purpose would be served by detaining the accused behind the bars and rather it would be a burden upon the State exchequer. Therefore, the applicant-accused is ordered to be released on bail in this case on his furnishing personal bond in the sum of Rs. One Lac with one surety of the like amount to the satisfaction of this court, with the conditions that:-

1. He shall appear in the court on each and every date of hearing.
2. He will not leave India without prior permission of the court.

3. He shall not tamper with the evidence of prosecution.

The bail application is allowed accordingly. Police record be returned. File be attached with the remand papers.

Pronounced/02.01.2018

Raj/SG-1

(Jaspal Verma),
Judge, Special Court,
(UID No. PB0136)
Mansa.

State Vs. Dharvinder Singh alias Bhindeer

Present: Sh. Varinder Singla, Advocate for applicant-accused.

Sh.Tejinder Singh Sidhu, Addl.PP for the respondent-State.

Arguments heard. Vide my separate detailed order of even date, the present bail application is hereby allowed. Police record be returned. File be attached with the remand papers.

Pronounced/02.01.2018

Raj/SG-1

(Jaspal Verma),
Judge, Special Court,
(UID No. PB0136)
Mansa.