

**In the Court of Dharminder Paul Singla, Judge, Special Court, Jalandhar
[UID No.PB0083]**

CIS Case No.	BA-1571-2024
CNR No.	PBJL01-004907-2024
Date of Institution	02.04.2024
Date of Decision	04.04.2024

Bachitter Singh son of Harbhajan Singh resident of village Salarpur,
Tehsil and District Jalandhar.

.....Accused/applicant

Versus

State of Punjab.

.....Respondent.

FIR No. 152 dated 23.10.2019
U/Sec. 22 of N.D.P.S. Act,
PS Sadar, District Jalandhar.

Second Bail Application under Section 439 Cr.P.C.

Present: Sh. L. S. Sohal, Advocate for Accused/ Applicant
Sh. Gurpeet Singh, Addl. PP for State alongwith ASI Jasbir
Chand.

ORDER

1. This order of mine shall dispose of second application for regular bail under Section 439 Cr.P.C moved by accused/applicant Bachitter Singh in case FIR No. 152 dated 23.10.2019 for offence under Section 22 of NDPS Act, PS Sadar, District Jalandhar, wherein accused/applicant was previously declared proclaimed persons vide order dated 03.06.2023 and he has been re-arrested by the police on 19.08.2023. As per previous allegations, accused was allegedly found to be in possession

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of 105 Tablets having salt 'Alprazolam' to the tune of 13.2 grams.

2. Learned counsel for the accused/applicant pressed for regular bail on the ground that the accused/applicant has been falsely implicated in this case, though he was previously released on bail. He further pressed that accused/applicant was in judicial custody for the last more than six months, whereas prosecution have failed to conclude evidence. He further argued that no useful purpose would be served by detaining accused/applicant in custody for an indefinite period and prayed for bail on these grounds.

3. Learned Additional Public Prosecutor opposed the bail application and prayed for dismissal of same.

4. I have heard the learned counsel for the accused/applicant, learned Addl.P.P for the State and have gone through the police record.

5. After hearing their rival submissions and perusal of record reveals the fact that as per allegations, present accused/applicant was allegedly apprehended on 23.10.2019 when he was allegedly found to be in possession of 105 Tablets containing salt 'Alprazolam'. Accused was ordered to be released on bail vide order dated 19.12.2019 and he was regularly attending the court, but later on abstained from court proceedings and ultimately declared as proclaimed person on 03.06.2023. Afterwards, accused/applicant was re-arrested on 19.08.2023 and he is in custody since then. Prosecution has failed to conclude the trial for the last more than seven months, therefore, no useful purpose would be served by detaining the accused/applicant for an indefinite period as pretrial

detention would never be considered in the interest of justice. Keeping in view these facts and circumstances of the case, the instant bail application is hereby allowed and accused-applicant **Bachitter Singh** is ordered to be released on bail on furnishing of bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of this Court/ learned Presiding Officer on duty.

6. However, any observation given in this order shall not effect on merits of the main case. Attested copy of order be retained alongwith main file by the Ahlmad, whereas bail application file be consigned to the Record Room after due compilation.

Pronounced:

Dated:04.04.2024

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rameshchander*

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Bachitter Singh Vs State of Punjab

Present: Sh. L. S. Sohal, Advocate for Accused/ Applicant
Sh. Gurpeet Singh, Addl. PP for State alongwith ASI Jasbir Chand.

Record produced. Arguments on bail application heard. Vide my separate detailed order of even date, instant bail application has been allowed. Attested copy of order be retained alongwith main file by the Ahlmad of the Court, whereas bail application file be consigned to the Record Room.

Pronounced:
Dated:04.04.2024

(Dharminder Paul Singla),
Judge, Special Court,
Jalandhar.[UID No. PB0083]

rameshchander*

Dharminder Paul Singla,
Judge, Special Court, Jalandhar/ 04.04.2024