

In the Court of Ms. Gurdarshan Kaur Dhaliwal.
Judge, Special Court, Kapurthala

CNR No.PBKP010042542018
BA No.1571 of 21.08.2018
FIR No.146 dated 12.08.2018
U/s 22/61/85 NDPS Act
P.S. City, Phagwara, District
Kapurthala,

Decided on: 05.09.2018

Rampal @ Sharma son of Shinda Ram, Resident of Joginder Nagar,
Khothran Road, Phagwara, District Kapurthala.

....Applicant/accused.

Versus

State of Punjab

....Respondent

Application for interim bail

Present:- Sh. LM Chopra, Advocate-for the applicant-accused.
Smt. Aarti Mehta, Id. Addl. P.P. for the State

ORDER

1. Record received. Heard on the application for bail. Learned counsel for the accused-applicant contended that accused-applicant is innocent and has not committed any offence and is not involved in any manner in the alleged crime and he may be granted bail.
2. Learned Addl. P.P for the State opposed the bail application on the ground that offence against the accused is serious in nature and therefore the application may be dismissed.
3. I have heard learned Addl. P.P for the State, learned defence counsel and gone through the record.
4. Accused-applicant Rampal @ Sharma has allegedly been found in conscious possession of **10 injections of BUPRENORHINE and 10 injections of Avail**. The report of Forensic Science Laboratory is awaited and accused is undergoing custody since **12.08.2018**. Learned counsel for the accused-applicant contended that it is held by

Hon`ble Punjab &Haryana High Court, Chandigarh in Judgment cited as Inderjeet Singh @ Laddi Vs State of Punjab 2014 (3) RCR (Criminal)-953 and Ravinder Singh @ Rinku Vs State of Punjab CRM No.1379 of 2013 that in case there is delay in report of the Chemical Analysis, this would entitle the accused to the interim bail till the report is finally received.

5. Considering the allegations in the FIR and arguments of learned counsel for the applicant-accused and the ratio of law laid-down in Judgment cited above, applicant-accused Rampal @ Sharma and is ordered to be admitted to interim bail till the report of Forensic Science Laboratory is received on his furnishing personal bail bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate and on the following conditions:-

1. He will not tamper with the prosecution evidence;
2. He will appear in the Court each on each and every date of hearing to be fixed in the trial;
3. He will not leave the territory of India without prior permission of the Court.
4. He will surrender his passport in the Court, if any. In case he is not possessing any passport, he will furnish an affidavit to this effect.

6. It is further ordered that this bail order shall remain in existence till the report of chemical examiner is received and subject to the contents thereto. Now to come up on 30.11.2018 for awaiting report. Bail application be annexed with the remand papers.

Date of order:05.09.2018
(Rakesh)
Next date:30.11.2018

(Gurdarshan Kaur Dhaliwal)
Judge Special Court,
Kapurthala
(UID No.PB0146)

Purpose

Rampal @ Sharma Vs. State of Pb. (BA 1571-2018).

Present:- Sh. LM Chopra, Advocate, for the applicant-accused.
Smt. Aarti Mehta, Ld. Addl. P.P. for the State

Heard. Vide my separate detailed order of even date, the interim bail application stands allowed as per terms of the main order. Now to come up on 30.11.2018 for awaiting report. Bail application file be annexed with the remand papers.

Date of order:05.09.2018
(Rakesh)
Next date:30.11.2018

(Gurdarshan Kaur Dhaliwal)
Judge Special Court,
Kapurthala
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Purpose