

**IN THE COURT OF SH. SANDEEP SINGH JOSSAN (PB0150),
JUDGE SPECIAL COURT, HOSHIARPUR**

**B.A. No. 1588/2023
CNR No. PBHO010046042023
Decided on: 11.7.2023**

State of Punjab

Versus

Gurchaten Singh @ Cheta, aged 35 years, son of Harjit Singh, r/o vill. Sarhala Kalan, PS Chabbewal, Hoshiarpur.

FIR No. 121 dated 31.5.23,
U/s 22/61/85 of NDPS Act,
P.S. Mahilpur, Hoshiarpur.

Present: Sh Sunil Sharma, cl for the accused.
Addl. PP for the State.

ORDER

1. This order of mine shall disposed of application filed by the petitioner for grant of interim bail in case F.I.R. No. 121 dated 31.5.23, u/s 22/61/85 of NDPS Act, P.S. Mahilpur, Hoshiarpur.

Story of the prosecution is that police party nabbed a person coming on a scooty on the basis of suspicion and he was apprised of his legal right by ASI to be searched as the ASI had apprehension of having some intoxicant in his possession, but accused reposed faith in ASI. Then from the search of accused Gurchaten Singh @ Cheta 400 intoxicated loose tablets and 18 loose intoxicated injections were recovered. As such, present FIR was registered.

2. Learned counsel for the accused submitted that accused/ applicant has been falsely implicated in this case and he is in custody since 31.5.23. That, alleged recovery appears to be non-commercial quantity and the accused/ applicant is no more required for any further investigation, whereas he has not

committed any offence. That, accused/applicant has never been declared proclaimed offender.

3. I have heard learned counsel for the accused, learned Addl. Public Prosecutor for the State and have gone through the file carefully.

As per FIR in question, accused was found in conscious possession of 400 intoxicated loose tablets and 18 loose intoxicated injections. The nature of recovery can be ascertained only after receiving the report of Chemical Examiner. The accused is in custody since 31.5.23. As such, keeping in view the period of custody, the grounds mentioned in the bail application and the fact that the report of Chemical Examiner is yet to be received, the accused is granted interim bail till the date of receiving Chemical report on furnishing his bail bond in the sum of Rs.50,000/- with one surety in the like amount. It is made clear that in case, on receiving chemical report, the quantity recovered from the possession of the accused is found to be in commercial in nature, then, the bail order passed by this court today, shall stand cancelled automatically and the accused shall be required to surrender in the court. With these observations bail application under reference stands disposed of.

Accused shall not leave India without prior permission of the court; The accused shall continue appearing in Court unless appearance is specifically exempted.

Copy of this order be placed with the remand papers and this file be consigned to the record room.

Pronounced:
11.7.2023

Sandeep Singh Jossan
PB0150
JSC/ Hoshiarpur.

*typed by Mukesh Chander,
Stenographer Gr-I*