

**In the court of Ms. Neelam Arora, Addl. Sessions Judge,
Hoshiarpur, UID No. PB0091**

CIS No.: BA/161/2021
CNR No. PBH0010004482021
Date of order: 27.01.2021

1. Kulwinder Singh aged 40 years s/o Lachhman Dass r/o village Powal (Pialan), P.S. Nasrala, District Hoshiarpur.
2. Raj Kumar aged 27 years s/o Jarnail Dass, r/o village Powal, P.O. Nasrala, District Hoshiarpur.

Accused-applicants

Versus

State of Punjab

-- Respondent.

FIR No. 02 dated 06.01.2021
U/s 22/61/85 of ND&PS Act, 1985
Police Station: Bullowal, Distt. Hoshiarpur.

APPLICATION FOR GRANT OF INTERIM BAIL

Present: Sh. Sandeep Sharma Advocate, counsel for applicants-
accused
Sh. Gurpreet Singh, Additional Public Prosecutor for the State

ORDER:

This order of mine will dispose off application, moved by
accused/applicants for their release on interim bail in aforesaid case.

2. It has been argued by learned counsel for applicants/accused
that applicants/accused have been falsely implicated in this case. They are
lodged in custody since 06.01.2021 and not required for purpose of
investigation, as recovery has already been effected. Report of Chemical
Examiner has not been received so far and the presentation of same will

take sufficient time. Thus, applicants/accused may be released on interim bail, till receipt of report of Chemical Examiner.

3. These arguments have been refuted by Sh. Gurpreet Singh, learned Additional Public Prosecutor for the State on the ground that there are serious allegations against accused/applicants.

4. I have given thoughtful consideration to these contentions and in order to appreciate the same have gone through record of this case carefully.

5. As per allegations, 15 grams of intoxicant powder is stated to have been recovered from applicant/accused Kulwinder Singh, whereas, 10 grams of intoxicant powder is stated to have been recovered from applicant/accused Raj Kumar. The report of chemical examiner is yet to be received. Applicants/accused are in custody since 06.01.2021. Report of chemical examiner has not yet been received. After receipt of report of chemical examiner, presentation of Challan will take further more time. A Division Bench of our own Honorable High Court in case of *Inderjit Singh alias Laddi versus State of Punjab* - 2014 - RCR (Criminal) - 953, has been pleased to hold that such a person should be released on interim bail if matter is being unnecessarily delayed. Prosecution is not capable to give a cut off date for receipt of Chemical Examiner's report and sometimes result does not even favour prosecution. Keeping in view above facts and ratio of law, laid down in case of *Inderjit Singh alias Laddi (supra)*, applicants/accused are ordered to be released on interim bail, on their furnishing bail bonds in the sum of ₹50,000/- with one surety of the like

amount each, to the satisfaction of this court, till report of Chemical Examiner is received. On the receipt of report of chemical examiner the accused/applicants will surrender in the court immediately and this interim relief shall be deemed to have been declined. However, they will be at liberty to file fresh bail application, which shall be considered afresh on merits. Application is disposed of accordingly. Record be returned. Papers be attached with remand papers.

Announced:
Dt. 27.01.2021

(Rupesh)
Stenographer-II

(Neelam Arora)
Addl. Sessions Judge
Hoshiarpur
UID No. PB0091

CNR No: PBHO010004482021

CIS No: BA/161/2021

Kulwinder Singh etc. Vs State of Punjab FO

Present: Sh. Sandeep Sharma Advocate, counsel for applicants-
accused
Sh. Gurpreet Singh, Additional Public Prosecutor for the State

Record received and perused. Heard. Vide my separate detailed
order of even date, the application for grant of interim bail has been allowed, as
stated therein. Police record be returned. Papers be attached with main case
file/Remand Papers.

27.01.2021
Rupesh

(Neelam Arora)
Additional Sessions Judge
Hoshiarpur
UID No. PB0091