

BA No. 355 of 23.02.2018.
CIS No. 161 of 2018.
CNR No:PBFG010006062018
Decided on:- 1.03.2018

FIR No. 10 dated 30.01.2018
U/s 21/61/85 NDPS Act
PS: Fatehgarh Sahib.

Bail Application U/s 439 Cr.P.C.

State of Punjab through SHO PS Mandi Gobindgarh.

Versus

Gaurav Singh, aged 30 years, son of Roop Singh, resident of village Jalalpur, PS Tatavi, Tehsil & District Muzaffar Nagar now resident at Karmi Chowk, Dehradun Uttarakhand.

Present: Sh. G.S.Cheema, Advocate for the applicant-accused.
Sh. S.S.Brar, Addl. PP for the State.

Arguments on first bail application u/s 439 Cr.P.C filed by applicant Gaurav Singh son of Roop Singh, have been heard. As per allegations of prosecution story the accused-applicant was apprehended on 30.01.2018 under the jurisdiction of PS Fatehgarh Sahib with the allegations that he was allegedly found in possession of 22 grams of intoxicant powder without any legal permit or license, which falls in intermediary range which is lessor than commercial quantity. He is in judicial custody since 30.01.2018. I.O has come present and he has stated that challan in this case has not been presented by the police so far, because report of the FSL has not been received so far. No application for extension of the time for presentation of challan has been received till

date. But it is a fact that the accused-applicant is no more required for any custodial investigation. Presentation of challan, commencement and conclusion of trial may take time. No useful purpose would be served by keeping the accused-applicant in judicial custody anymore. Bail is the rule of law and not jail. Keeping in view the right of liberty of the applicant, in these circumstances, when there is no likelihood of the accused-applicant that he will abscond, it is a fit case where the applicant should be granted the concession of bail. Hence, without commenting anymore on the merits of the case in any manner, the bail application filed on behalf of the applicant-accused is hereby allowed and is disposed off. The applicant is hereby ordered to be admitted/released on regular bail on his furnishing bail bonds in the sum of Rs. 50,000/-with one local surety in the like amount.

2. Any observations made in the order above shall not be construed as an expression on the merits of the case in any manner.

3. Papers of the bail application be attached with the remand papers and be appended with the file as and when report is received.

Pronounced in open Court,
1st March, 2018.

Ranjeev Kumar Vishisht,
UIDPB0179
Judge, Special Court,
Fatehgarh Sahib.1.03.2018.

Sudhir Kinger
JW(Sr.Grade)

(directly dictated)

Ranjeev Kumar Vishisht, UID PB0179,
Judge, Special Court, Fatehgarh Sahib 1.03.2018