

B.A. No.1612 of 2021
CNR No. PBAS01-004042-2021.

State Vs. Lovejeet Singh @ Kala

Present:- Sh. Karanjit Singh Randhawa, Adv. Counsel for the
applicant/accused.
Ms. Rittu Kumar, learned Addl.PP for the state

1. The present bail application has been moved on behalf of above said applicant/accused in case FIR No.41 dated 14.03.2021, u/s 21/61/85 of NDPS Act, P.S. Kathu Nangal, Amritsar u/s 439 Cr. P.C.

2. The prosecution case in nutshell is that on 14.03.2021 in the area of PS Kathu Nangal, from the possession of applicant/accused, 05 gram heroin was recovered which accused/applicant was carrying without permit and licence.

3. Notice of the bail application was given to state and police record was also summoned.

4. Heard. In the present case, 05 gram heroin was recovered from the possession of applicant-accused. Applicant/accused is in custody since 14.03.2021. As submitted by learned APP, the report of chemical examiner has not yet been

received. Division Bench of Hon'ble Punjab and Haryana High Court in **Criminal Misc. No. 1140 of 2012 decided on 30.1.2014 titled as "Inderjit Singh @ Ladi Vs. State of Punjab"** has held that "in case there is delay, this would entitle the offender of at least interim bail till report is finally received". So, keeping in view the above said recovery from the possession of accused, I am of the view that the accused is entitled to get interim bail till report of chemical examiner is finally received as per ratio of the above said judgment. Accordingly, the above named applicant/accused is ordered to be released on interim bail till the receipt of chemical examiner report subject to furnishing of bail bonds in the sum of Rs.50,000/-with one surety in the like amount subject to conditions that applicant-accused will neither leave the country without prior permission of the court nor accused will tamper with the witnesses of the prosecution and will appear on each and every date of hearing. It is however, made clear that in case, on receipt of report, quantity of narcotic drug or psychotropic substance is found to be commercial, this order granting interim bail shall be deemed to have come to an end automatically and applicant will be

taken into custody without any further order of cancellation of bail.

The present bail application is disposed off accordingly. Police Record of returned forthwith and file be consigned to the record room.

Pronounced in open court.

Dated:- 16.04.2021.

**(Rajesh Kumar),
Judge Special Court,
Amritsar.
UID No. PB0441**

Narinder Sharma,
Stenographer Grade-II.