

**In the Court of Sanjay Agnihotri,
Judge Special Court,
Kapurthala
(UID No.PB0099)**

CNR No. PBKP010045772025



Case No. BA/1913/2025

Presented on : 05-08-2025
Registered on : 05-08-2025
Decided on : 07-08-2025

FIR No.52 dated 05.07.2025
Under sections 22/61/85 NDPS Act
Police Station Bholath
District Kapurthala.

Narinder Lal aged about 52 years son of Harnam Dass, resident of village Pachranga, Bhogpur, District Jalandhar.

....Accused/applicant

Versus

State of Punjab

...Respondent

Bail application under Section 483 BNSS, 2023

Present: Shri Manish Luthra, Advocate, counsel for the applicant/accused.
Ms.Reena Rani, Addl. PP for the State

ORDER:-

1) This application under Section 483 of the **Bharatiya Nagarik Suraksha Sanhita (BNSS)** for grant of regular bail was filed by applicant-accused Narinderpal on 05.08.2025 in case aforementioned. Alongwith bail application application for interim bail has also been filed. Police record has been requisitioned and received.

Sanjay Agnihotri, Judge Special Court UID no.00099

2) It has been averred in the application that the applicant is innocent, has not committed such crime, and has been falsely involved in the case. He is in judicial custody since 05.07.2025. The alleged recovery of 36 intoxicant tablets has already been effected. The report of FSL has not yet been received. The presentation of challan is likely to take long time. The custody of applicant is not required for any purpose.

3) The case of the prosecution is that on 05.07.2025 SI Harpal Singh alongwith his police party was present in the area of Akhara Road, Boparai, District Kapurthala and apprehended applicant Narinderpal, who at the sight of police party threw away one polythene bag on the road. On checking the polythene bag, it was found containing 36 Intoxicated tablets of light orange colour. The applicant/accused was found in conscious possession of above said 36 intoxicated tablets without any permit or licence. Report of FSL has not been received so far.

4) Arguments heard and record perused with the able assistance of learned counsel for the applicant/accused and Addl. Public Prosecutor for State.

5. As per the decision of Division Bench of Hon'ble Punjab & Haryana High Court in **Criminal Misc. No.1140 of 2012 decided on 30.01.2014 titled as "Inderjit Singh @ Ladi vs State of Punjab"** it has been has held that "in case there is delay, this would entitle the offender of at least interim bail till the report is finally received". So keeping in view the above said recovery from the possession of applicant/accused, I am of the view that 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 receiving of Chemical Examiner Report subject to furnishing of bail bonds/cash surety in the sum of Rs.20,000/- to the satisfaction of learned Illaqa/Duty Magistrate subject to the following conditions:-

i) that he shall attend the court on each and every date of hearing;

ii) that he will not leave India without prior permission of the trial court;

iii) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

6. However, it is made clear that the concession of interim bail granted to the applicant/accused shall stand cancelled automatically and the bail bonds furnished on his behalf shall be forfeited if on the basis of report of Chemical Examiner, the contraband allegedly recovered from the possession of the applicant/accused is found to be fallen in the commercial quantity. In case, contraband allegedly recovered from the possession of the accused found to be fallen in non-commercial quantity, the interim order shall be confirmed automatically and bail bonds furnished by him as per this order shall be ordered to be treated as bail bonds against the final order. The applicant/accused is further directed to surrender in the Court in case contraband allegedly recovered from his possession falls in commercial quantity on receipt of report of the Chemical Examiner. Learned Illaqa/Duty Magistrate is directed to send the bail

bonds furnished by the applicant/accused to this Court after its attestation. Copy of this order be sent to the learned Illaqa/Duty Magistrate for compliance under the signatures of Reader. A soft copy of the bail order be sent by e-mail to the accused/applicant through the Jail Superintendent forthwith. Bail application file be attached with the remand papers/main file, otherwise, the same be consigned to the record room.

Pronounced in open Court:-

Dated: 07.08.2025

Nirlep Kaur, Stenographer Gr.I

**(Sanjay Agnihotri),
Judge Special Court,
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accused.

Ms. Reena Rani, Addl. PP for the State

Arguments heard. Vide separate detailed order of even
date, the application for interim bail filed by the applicant/accused
has been **allowed**, as detailed therein the same. Bail application file
be attached with the remand papers/main file, otherwise, the same be
consigned to the record room.

Pronounced in open Court:-

Dated: 07.08.2025

Nirlep Kaur, Stenographer Gr.I

**(Sanjay Agnihotri),
Judge Special Court,
Kapurthala (UID PB00099)**