

IN THE COURT OF Ms.RAJNI CHHOKRA,
JUDGE, SPECIAL COURT, FEROZEPUR.
(UID No. PB-0168)

Bail application No. 371 dated : 27.09.2019.

CIS No.BA 1920 of 2019

CNR No.PBFZ0100-4970-2019

Date of order : 30.09.2019.



Palwinder Singh alias Pindu son of Mukhtiar Singh, resident of village
Kalle Ke Hithar, Tehsil and District Ferozepur.

Applicant-accused.

Versus

STATE

FIR No. 73 dated : 08.10.2016,
Under Section 15, 61, 85 of NDPS Act,
Police Station Mamdot.

Present ; Sh.Manoj Bajaj, counsel for applicant.
Sh. Balwinder Singh, Additional PP for the State.

ORDER

Applicant-accused has filed present bail application
under section 439 Cr.PC through his counsel for releasing him on
regular bail in the above noted case.

2. Upon notice Sh. Balwinder Singh, Additional PP has appeared on behalf of the State-respondent and contested bail application. Police record was summoned and perused.

4. The counsel for applicant-accused has argued that applicant had been falsely implicated in the present case. Absence of the applicant was because of sickness of his father. Applicant was serving his father at hospital and at home and he was unable to attend the court. Applicant is in custody since 28.08.2019. Nothing is to be recovered from him. So applicant be released on bail.

5. On other hand, learned Additional PP for the state argued that applicant intentionally and deliberately did not appear in the court. Applicant has misused concession of bail and now is not entitled to concession of bail. It was prayed that present application.

6. This court has heard counsel for applicant as well as learned Additional PP for the state and gone through record.

7. Perusal of record it has been revealed that applicant was marked absent on 14.06.2019 and was produced in the court on 28.08.2019. In support of his averments applicant has produced on record photo copy of death certificate of his father namely Mukhtiar Singh. In the present case 40 Kilogram poppy husk was recovered. It

does not fall in the ambit of commercial. Rather falls in the ambit of non commercial. Applicant must have learnt lesson for not informing the court regarding his absence. Applicant is in custody since 28.08.2019. Now nothing is to be recovered from him. So in view of above said facts and circumstance this court is of considered opinion that applicant is entitled to concession of regular bail. He is ordered to be released on regular bail on furnishing bail bond in the sum of Rs.75,000/- with one surety in the like amount. Accordingly bail application stands disposed of. This file be attached with the file pending in this court.

Dated: 30.09.2019

Rama Nand Stenographer Grade-I

(Rajni Chhokra)
Judge, Special Court
Ferozepur.
UID No.PB-0168