

PBFD010056402025



Presented on : 24-09-2025
Registered on : 24-09-2025
Decided on : 30-09-2025
Duration : 0 years, 0 months, 6 days

**In the Court of Shri Dinesh Kumar Wadhwa,
Judge, Special Court, Faridkot (UID-PB0445).**

BA/1922/2025 for Regular Bail

FIR No.198 dated 23.08.2025
U/S 22(b), 61, 85 of NDPS Act
Police Station Sadar Faridkot

Iqbal Singh, age around 33 years, son of Balwinder Singh, resident of near Government School, village Dhudi, Tehsil and District Faridkot.

Versus

State

Present: Shri Jatinder Pal Singh, learned Advocate for the applicant/
accused.
Shri S.K. Sachdeva, learned Additional Public Prosecutor for
the State.

ORDER
(Delivered on 30.09.2025)

- 1) The present application has been filed by aforesaid applicant/
accused seeking regular bail under Section 483 of BNSS, 2023 in the
subject captioned FIR.
- 2) Notice of the bail application was issued to the State. Shri
S.K. Sachdeva, learned Additional Public Prosecutor appeared to contest
the bail application. Record has been requisitioned.

3) Shri Jatinder Pal Singh, learned Advocate has submitted that the latter has been falsely implicated in the present case. In-fact no recovery has been effected from the applicant/accused. The applicant/accused was never arrested in the manner as alleged by the prosecution. The applicant/accused is in custody since 23.08.2025 and he is no more required for further investigation. Completion of the investigation and trial is likely to take a long time. Therefore, no useful purpose will be served by detaining the applicant in custody. With these submissions, he has prayed for the grant of concession of bail to the applicant/accused.

4) Per-contra, Shri S.K. Sachdeva, learned Additional Public Prosecutor for the State has opposed the bail application and prayed for dismissal of the same.

5) I have heard rival contentions of both the sides and perused the record.

6) The prosecution case in brief is that on 23.08.2025, ASI Hardev Singh along with other police party was going towards village Dhurkot via Chandbaja etc. At around 12:30 PM, when the police party reached a little ahead to village Chandbaja near bridge minor canal, a person was seen coming on foot and was apprehended on suspicion. On enquiry, he disclosed his name as accused Iqbal Singh (applicant). After complying with the provisions of Section 50 of NDPS, ASI Hardev Singh conducted search of the accused, which led to recovery 60 loose intoxicant tablets from a black colour polythene bag. As per record, report of Chemical Examiner qua the contents of above said recovered

contraband has not been received so far. The applicant/accused seeks his release on bail or in the alternative interim bail as report of chemical examiner has not been received so far. Hon'ble Punjab and Haryana High Court in *Inderjit Singh @ Laddy vs State of Punjab 2014(3)-RCR (Criminal)-page 952*, has been pleased to hold that if matter is being unnecessarily delayed due to non-receipt of FSL Report, Special Court may release applicant/accused on interim bail till receipt of report of chemical examiner. The applicant/accused is in custody since 23.08.2025. As per record, report of FSL has not been received till date. So, until the report of FSL is received, it cannot be ascertained as to whether recovery effected in the present case falls within commercial quantity or non-commercial. The receipt of report of FSL and conclusion of investigation will take sufficient long time. Hence, no useful purpose would be served by keeping the accused further in custody for an indefinite period. Consequently, without expressing opinion upon the merits of the case, in the light of above discussed law, applicant/accused is ordered to be released on interim bail till the receipt of report of FSL on his furnishing personal bond in the sum of Rs.30,000/- with one surety of like amount subject to following conditions that he shall surrender himself before the court on receipt of the report of chemical examiner; that he shall attend Court on each and every date of hearing; that he shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected; that he shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the 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 and that he shall not leave the country without prior permission of Court.

7) However, it is made clear that if on receipt of the report of the chemical examiner, the quantity of recovered substance falls under the commercial quantity under the Act, this order shall be deemed to have come to an end automatically and the applicant has to surrender in the court and will be taken into the custody, without any further order of cancellation of his interim bail. The bail application stands disposed of accordingly.

8) Police record be returned and record of present bail application file be tagged with the pending remand papers.

Pronounced in the Open Court:
Dated 30.09.2025.

(Dinesh Kumar Wadhwa),
Judge, Special Court,
Faridkot (UID:PB-0445).

Sneh Lata,
Stenographer Grade-1

Iqbal Singh vs. State of Punjab

Present: Shri Jatinder Pal Singh, learned Advocate for the applicant/
accused.
Shri S.K. Sachdeva, learned Additional Public Prosecutor for
the State.

Record received. Arguments heard. Vide my separate detailed
order of even date, bail application filed by applicant/accused has been
allowed, as detailed therein. Bail application file be tagged with the
pending remand papers.

Pronounced in the Open Court:
Dated 30.09.2025.

(Dinesh Kumar Wadhwa),
Judge, Special Court,
Faridkot (UID:PB-0445).

Sneh Lata,
Stenographer Grade-1