

BA No.07/02.01.2025

CNR No:PBRO-01-00-00102025

State of Punjab Vs. Ankush Vig

Present: Sh. Hemant Chaudhary Advocate, counsel for the applicant/
accused.
Sh. Vijay Kumar, Additional Public Prosecutor for the State.

Arguments on bail application moved by applicant/accused **Ankush Vig** under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing him on bail in this case bearing FIR No.228 dated 02.12.2024 under section 22-61-85 of NDPS Act, 1985 Police Station City Rupnagar, heard. Police Record received and perused.

As per allegations of the prosecution, 11.70 gram intoxicant powder was recovered from the conscious possession of applicant/accused **Ankush Vig** on 02.12.2024 in the area of IIT-Rupnagar Road, Rupnagar. Applicant/accused was arrested on 02.12.2024 and he has been remanded to judicial custody since 03.12.2024. The report of Chemical Examiner has not been received so far. 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**” 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 in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of learned Illaqa/Duty Magistrate subject to the conditions that applicant/accused will neither leave the country without prior permission of the Court nor applicant/accused will tamper with the witnesses of the prosecution. However, it is made clear that the concession of interim bail granted to the applicant/accused shall stand cancelled automatically and the bail bonds as well as surety 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 and surety bonds furnished by him as per this order shall be ordered to be treated as bail bonds and surety 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 and surety bonds furnished by the applicant/accused to this Court after its attestation. File be consigned to the record room.

Pronounced:

Dated: 04.01.2025

(Sham Lal),
Judge, Special Court,
Rupnagar.

[UID Number PB00123]

Rakesh Kumar, stenographer