

**THE COURT OF SHRI AVTAR SINGH BARDA,  
JUDGE SPECIAL COURT,  
Gurdaspur.**

Unique Identification Code No. (PB0159)

CIS No. BA-2000-2019  
Bail application no. 247 of 15.07.2019  
Date of order: 30.07.2019

Amritpal Singh son of Mukhwinder Singh resident of village Jaito Sarja,  
P.S. Rangar Nangal, Tehsil Batala, District Gurdaspur.

-----accused/applicant

Versus

State of Punjab.

FIR No. 50 dated 21.06.2019  
U/ss 21/61/85 of N.D.P.S. Act.  
P.S. Rangar Nangal

**INTERIM BAIL APPLICATION**

Present: Sh. D.S. Aulkh Adv. counsel for accused/applicant.  
Sh. Kiran Kumar Learned Addl.P.P for the State.

**ORDER**

1. Record from the concerned police station received. Heard on the interim bail application filed by accused/applicant Amritpal Singh son of Mukhwinder Singh.
2. The present case arising out of FIR No. 50 dated 21.06.2019 under section 21 of NDPS Act relating to Police Station Rangar Nangal in which accused/applicant was arrested on 21.06.2019 as he was found in conscious possession of 4 gms 2 mgs heroine along-with 50 intoxicant

tablets without label.

3. Learned counsel for the accused have argued that accused/applicant is innocent and he has not committed any offence as alleged in the FIR and he has been falsely implicated in this case. The accused/applicant is confined at Central Jail in Judicial custody since 21.06.2019 and he prayed that accused/applicant may be granted interim bail.

4. I have heard learned counsel for accused/applicant, Learned APP for the State and have gone through the police record meticulously. I would like to discuss here the case law cited in case titled as **Inderjit Singh @ Laadi versus State of Punjab 2014(3) R.C.R page 953**, in which Hon'ble Punjab and Haryana High Court has held that if the report of Chemical Examiner is not received and inordinate delay is occurred, then accused/applicant can be given benefit of interim bail till the receipt of report of Chemical Examiner.

5. Moreover, the presentation of charge sheet and conclusion of trial is likely to take long time and report of F.S.L. is awaited, which has not been received till date. Under these circumstances, accused/applicant is ordered to be released on **interim bail** subject to furnishing bail bonds in the sum of Rs. 70,000/-with two sureties of the like amount each which shall remain in operation till F.S.L report is received.

6. However, it is made clear that after receipt of report of Chemical Examiner if any other kind of salt reported to be contained in

the alleged recovered heroine involved in this case, makes contraband of the category of commercial quantity as per provisions of Narcotic Drugs and Psychotropic Substances Act, 1985, then accused/applicant has to surrender before the court and benefit of interim bail given to applicant shall be deemed to have been canceled in that eventuality.

7. Police record be returned to the Investigation Officer/Naib court against proper receipt as per rules whereas papers be attached with the pending remand papers in this court.

Pronounced: 30.07.2019

(Avtar Singh Barda)  
Judge Special Court,  
Gurdaspur UID No.PB-0159  
This order has been directed dictated

Dilbag Singh Stenographer-II

Present: Sh. D.S. Aulkha Adv. counsel for accused/applicant.  
Sh. Kiran Kumar Learned Addl.P.P for the State.

I.O. ASI Nirmal Singh had appeared on 23.07.2019 and suffered statement that report of FSL is not received at P.S. Rangar Nangal and still awaited. Learned counsel for the accused/applicant made statement that he withdraws the regular bail application under section 439 CrPC on behalf of the accused/applicant, at this stage. In view of the statement, application under Section 439 Cr.PC stands dismissed as withdrawn. Learned counsel for accused/applicant moved interim bail application on behalf of the accused/applicant, notice of which has been given to the State today itself.

Arguments heard on interim bail application. Vide my separate detailed order of even date, the interim bail application is allowed and accused/applicant is ordered to be released on **interim bail** subject to furnishing bail bonds in the sum of Rs. 70,000/- with two sureties of the like amount which shall remain in operation till F.S.L report is received. Police record be returned to the Investigation Officer/Naib court against proper receipt as per rules whereas papers be attached with the pending remand papers in this court.

Pronounced: 30.07.2019

(Avtar Singh Barda)  
Judge Special Court,  
Gurdaspur UID No.PB-0159

Dilbag Singh Stenographer-II