

In the court of Sh. Kewal Krishan, Judge Special Court, Patiala.

CIS No.	BA/1981/2021
CNR No.	PBPT 010059672021

Pala Singh

Versus

State

FIR No.123 dated 29.05.2021.

U/s 21 the Narcotic Drugs and Psychotropic Substances Act, 1985.

Police Station: Passiana, District, Patiala,

Present:

Sh.Rajan Verma Advocate Learned Counsel for the applicant-accused.

Sh.R.S. Ghuman, Learned Addl. Public Prosecutor for the State along with ASI Balbir Singh

File put up before the undersigned as the learned Presiding Officer is availing summer vacations.

The accused/applicant has filed the instant application under Section 439 of the Code of Criminal Procedure. ASI Balbir Singh has produced the record of investigation.

Arguments are heard. Learned counsel for the accused has argued that accused-applicant is an innocent and the police has falsely implicated in this case. He is in custody since 29.05.2021. It is a case of non-commercial quantity. Completion of investigation, presentation of challan and conclusion of trial will take long time. No useful purpose would be served by detaining him any more in custody. The applicant undertakes to abide by the conditions, if imposed by this Court and he may kindly be granted concession of bail. On the other hand, learned Addl. Public Prosecutor for the State has

hotly contested the application.

This Court has heard the learned counsel for the applicant, learned Addl. Public Prosecutor for the State and perused the record. As per prosecution version, recovery of 13 grams smack was made from the accused-applicant on 29.05.2021 and since then he is in custody. Report of FSL has not yet been received. It is a case of non-commercial quantity. Completion of investigation, presentation of challan and conclusion of trial will take sufficient time. The applicant is in custody since 29.05.2021 and no useful purpose would be served by detaining him in custody. In these circumstances, this Court is of the considered view that the applicant is entitled to get concession of bail. Therefore, his application is allowed and he is ordered to be released from custody on furnishing his personal bail bond in the sum of Rs.50,000/- (Fifty thousands) with one surety in the like amount to the satisfaction of Illaqa Judicial Magistrate/Duty Magistrate subject to the following conditions:-

- (1) That the applicant shall not leave the country without the prior permission of the Court;**
- (2) That the applicant shall make himself available for interrogation by a Investigating Officer as and when required;**
- (3) That the applicant 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;**
- (4) That the applicant shall regularly attend the hearings before the trial Court.**

The Illaqa Judicial Magistrate/Duty Magistrate is directed to send the bail/surety bonds along with relevant documents after accepting and attesting the same to the concerned court. Record of Investigation be returned. File of this bail application be attached with the remand papers.

Pronounced in open Court,
On 21.06.2021
Vijay Kumar
Stenographer- Grade I

(Kewal Krishan)
I/c Judge, Special Court,
Patiala.
UID NO. PB0182