



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/1021/2026</u> Himmat Singh --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. V.B.S. Negi, learned Senior Advocate assisted by Ms. Azmeen Wason learned counsel for the applicant. 2. Mr. Deepak Bhardwaj, learned Brief Holder for the State. 3. The instant bail application is moved on behalf of the applicant Himmat Singh, S/o Hari Singh for seeking regular bail in reference to FIR dated 18.05.2026, bearing FIR No. 0006 of 2026, P.S. Deghat District Almora wherein the present applicant along with one Bharat Rawat have been implicated for the offences punishable under Sections 8/20 read with Section 60 of the NDPS Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and there is no substantial compliance of the mandatory provisions of the NDPS Act and furthermore the contraband Ganja which is shown to be recovered though commercial but it is recovered from three plastic bags and in total the quantity of the contraband as shown is 54.45 kg but the inventory so prepared at the time of search and seizure is not certified by the Magistrate concerned in a manner as provided under The Narcotic Drugs and



			Psychotropic Substances (Seizure, Storage, Sampling and Disposal) Rules, 2022, since the Magistrate certified the inventory by putting an endorsement of seen only. Apart from this, the applicant has no previous criminal history. He further submits that since the alleged contraband is commercial one, therefore, the rider of Section 37 of the NDPS Act come into the way and in reference to this he submits that firstly there is no substantial compliance of Section 52-A of the Act since inventory so prepared is not certified in the manner as provided under 2022 Rules and therefore there are reasonable ground that the applicant is not guilty of the offence and further the applicant has no previous criminal history, and if he is released on bail there is no possibility that he will indulge in any such activity in future. He further submits that the applicant is languishing in jail since 18.05.2026. 5. On the other side, Mr. Deepak Bhardwaj, learned Brief Holder for the State submits that the mandatory provisions of NDPS Act has been fully complied with however he has not disputed that inventory so prepared is certified by the Magistrate by putting an endorsement of "seen" only and it is completely a subject matter of the trial, however, he has not disputed that the applicant has no previous criminal history. 6. After hearing the arguments of the learned counsel for the parties and in view of the discussion as above since twin conditions as stipulated under Section 37 of the NDPS Act are fulfilled, therefore, this Court is of the view that the applicant deserves for bail. 7. Accordingly, without expressing any opinion on the merit of the case the bail application is allowed. 8. Let the applicant "Himmat Singh" be released on bail on his executing a personal
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			bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned. 9. It is made clear that after being released on bail the applicant shall join the trial court proceeding on each and every date without seeking unnecessary adjournment and if he is found to be indulge in any such activity in future the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 19-08-2026 Parul
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