

**IN THE COURT OF KAWALJIT SINGH,
ADDITIONAL SESSIONS JUDGE, TARN TARAN.
(UID Number PB0155)**

Case Type	BA
Filing Number	5408/2023 Filing Date: 09.10.2023
Registration Number	3025/2023 Date of Registration: 09.10.2023
CNR Number	PBTT0100-6213-2023
Date of Decision	16.10.2023

Paramjit Singh alias Pama, age about 30 years, son of Tarsem Singh,
resident of village Daoke, District Amritsar

---Applicant/accused

Versus
State of Punjab

---Respondent

FIR No.156 dated 02.09.2023
Under Sections 21-C, 25, 27-A, 29 of NDPS Act and 25 of Arms Act
Police Station Sadar Tarn Taran

BAIL APPLICATION UNDER SECTION 439 Cr.P.C.

Present: Shri Vikram Kaushal, counsel for the applicant/accused
Shri Gurpreet Singh Rana, Additional P.P. for State

ORDER

Applicant/accused has filed the instant bail application under
Section 439 Cr.P.C., seeking regular bail in the above noted case.

2. It is argued by the learned counsel for the applicant/accused
that he has been falsely implicated in this case. The FIR was registered on
the basis of secret information wherein three persons are specifically
named i.e. Lovepreet Singh alias Love, Nirmal Singh alias Nimma and
Sukhwinder Singh alias Bitti. Applicant is not named in the FIR. He is
nominated an accused on the basis of disclosure statement of co-accused
namely Lovepreet Singh which is not admissible as an evidence and is hit
by Section 25 of Indian Evidence Act. Nothing was recovered from the
applicant/accused after his arrest by the police on 07.09.2023 and since

then he is behind the bars. Presentation of challan and conclusion of trial is going to take sufficient time. No useful purpose would be served by keeping the applicant behind the bars. Therefore, it is prayed that the applicant/accused may kindly be granted the concession of regular bail.

3. On the other hand, learned Additional Public Prosecutor for the State opposed the bail application on the ground that in this case huge quantities of commercial quantity segment of heroin and total drug money amounting to Rs.1,14,10,000/- (one crore fourteen lacs and ten thousand) has been recovered till date. It is argued that during investigation details of mobile phones also have been procured showing that these accused persons have been constant touch with each other to run this illegal business of narcotics. It is submitted that total nine accused have been arrested and their network has been exposed. Applicant/accused also is the mastermind who is controlling this narcotic cartel by keeping in touch over the satellite/internet connections with other co-accused persons under a conspiracy to commit offence under NDPS Act. Applicant/accused had entered into criminal conspiracy with co-accused in order to supply heroin involving commercial quantities and they have amassed huge drug money as a result of these illicit drug dealings and if convicted the applicant/accused also is liable for sentence awarded for the commercial quantity of narcotics under Section 29 NDPS Act. It is submitted that otherwise also rigors of Section 37 NPDS are attracted which curtail the power of this court to grant regular bail to the applicant/accused and prayed for dismissal of the bail application.

4. I have considered the contentions raised by both the sides.

5. From the perusal of the record and investigation conducted thus far it comes out that this is a case where a well organized narcotic racket being run by the accused persons has been exposed. Apart from the recovery of commercial quantities of heroin also huge drug amount totalling whopping Rs.1,14,10,000/- has been recovered from various accused persons arrested so far. It also is revealed, from the call details obtained during investigation that the accused persons have been in constant touch with each other. One of the co-accused of the applicant/accused, who is yet to be arrested, also is alleged to be using the satellite/internet to stay in touch with other members of this gang to run this drug cartel. The contention of the learned counsel for the applicant/accused that no recovery of narcotic has been made from the applicant/accused also is found to be without merit because allegations against the applicant/accused are that he had entered into criminal conspiracy with other co-accused persons in order to supply heroin involving commercial quantities and they have amassed huge drug money as a result of these illicit drug dealings and if convicted the applicant/accused also is liable for sentence provided for the commercial quantity of narcotics under Section 29 NDPS Act. Stringent provisions of Section 37 of NDPS Act are attracted which curtails the power of this court to grant regular bail to the applicant/accused. For these reasons and keeping in view the involvement of the applicant/accused being part of this conspiracy to commit offence involving commercial quantity of heroin and antecedents of the applicant/accused about his previous involvement in commission of similar type of offence, this Court does not find any ground for accepting the prayer of the applicant/accused for grant

of relief of regular bail. Accordingly this bail application is dismissed. However, it is made clear that observations made herein above shall not be construed as an expression on the merits of the main case. The bail application file be consigned to the Judicial Record Room, Tarn Taran.

Announced: 16.10.2023

**Kawaljit Singh,
Additional Sessions Judge,
Tarn Taran.
UID Number PB0155**

Lovepreet Stenographer Grade-II