

**IN THE COURT OF DEEPIKA SINGH,
JUDGE, SPECIAL COURT, BATHINDA
(UID PB-0222)**

CNR No: PBBT010083042025

CIS No: BA-3021-2025

Date of Order: 21.07.2025

State	Versus	Manpreet Singh @ Fauji son of Nand Singh resident of Vill. Chand Bhan, Distt. Faridkot.
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...Accused-applicant.

FIR No.54 dated 14.04.2025

Under Section: 21(b)/27/61/85 of NDPS Act & Section 29
of NDPS Act added lateron vide DDR No.23 dated
16.04.2025.

Police Station: Nehianwala, Distt.Bathinda

Bail application under Section 483 BNSS

Present: Sh. Gurtej Singh Grewal, counsel for applicant/accused
Manpreet Singh @ Fauji.
Sh. Ram Singh, Addl.PP for the State.

ORDER:

1. Applicant Manpreet Singh @ Fauji has filed this application
for grant of regular bail under Section 483 BNSS in the afore mentioned
case and vide this order, I shall dispose of the same.

2. The facts in brief as are necessary for effective disposal of the
present bail application are that on 14.04.2025, at about 7.20 p.m., in the
area of village Mahinangal, Distt. Bathindaco-accused of applicant
namely Anil Kumar and Sarabjit Kaur @ Sarbi were apprehended by the

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police party carrying 06 grams of heroin in transparent plastic bag, without any permit or license. Accused-applicant was nominated in this case on the basis of disclosure statement made by his co-accused Sarabjit Kaur @ Sarbi.

3. SCT Malwinder Singh no.2066/BTI, P.S Nehianwala, District Bathinda has appeared and suffered statement that he is not Investigating Officer in this case. He has brought the record pertaining to the FIR No.54/2025 U/s 21-B/29/61/85 of NDPS Act, P.S Nehianwala, U/s 29 of NDPS has been added lateron vide DDR no.23 dated 16.04.2025. Other FIR No.71 dated 22.05.2022 U/s 304 of IPC, P.S Nehianwala, FIR No.89 dated 14.06.2022 U/s 21-B/29/61/85 of NDPS Act, P.S Jaitu, Faridkot, FIR No.144 dated 24.11.2022 U/s 21-B/29/61/85 of NDPS Act, P.S Jaitu, Faridkot, FIR No.113 dated 17.12.2022 U/s 21-B/61/85 of NDPS, P.S Thermal in which 20 gram Heroin and Rs.73000/- drug money has been recovered from accused Manpreet Singh @ Fauji, FIR No.05 dated 08.01.2024 U/s 21-B/61/85 of NDPS Act, P.S Civil Lines, Bathinda in which 200 gm heroin has been recovered from accused Manpreet Singh @ Fauji, FIR No.30 dated 30.03.2025 U/s 21-B/29/61/85 of NDPS Act, P.S Jaitu, Faridkot, FIR no. 86 dated 20.05.2025 under Section 21-B/27/61/85 of NDPS Act, P.S Nehianwala have been registered against accused **Manpreet Singh @ Fauji**. Challan has already been presented in this case on 12.06.2025. FSL report has also been received.

4. I have heard learned APP for the State and learned counsel

for applicant.

5. The learned counsel for the applicant has argued that the applicant is not named as an accused in the FIR and he has been later on falsely implicated in this case with the aid of section 29 of NDPS Act on the alleged disclosure statement of Sarabjit Kaur @ Sarbi. The accused-applicant was not present at the time and place of alleged recovery. Nothing incriminating has been recovered from the conscious possession of the accused-applicant. There is no direct evidence against the accused-applicant to connect him with the alleged contraband allegedly recovered from the accused Sarabjit Kaur. The accused-applicant has been framed in the present case by the police for some extraneous reasons on the basis of mis-guided information as the accused-applicant has earlier also been implicated in false cases of NDPS Act with the aid of section 29 of NDPS Act. He has been arrested in the present case through production warrants from Central Jail, Faridkot on 29.05.2025. The accused-applicant never instigated or abetted the accused Sarabjit Kaur or any other person for the commission of the alleged crime. The alleged recovery has already been effected in the aforesaid case from the accused Sarabjit Kaur and nothing has been recovered from the accused-applicant after his arrest and the person of the accused-applicant is not required by the police for any purposes. He has further argued that the alleged disclosure statement of Sarabjit Kaur, if any, is not legally admissible against the accused-applicant. In support of his contentions,

learned counsel for the applicant has relied upon judgment of Hon'ble Punjab and Haryana High Court in case **Amandeep Singh Vs. State of U.T., Chandigarh in CRM-M-13955 of 2024 decided on 29.04.2024** and also relied upon judgment in **Gautam Kumar Vs. Union of India bearing CRM-8596 of 2023 decided on 01.08.2023**. With these contentions, a prayer is made for bail to the applicant.

6. On the other hand, learned Additional Public Prosecutor for the State opposed the bail plea on the premise that role of the accused-applicant has been duly narrated by co-accused Sarabjit Kaur from whose possession 06 grams of heroin was recovered and the accused is habitual offender. Hence, a prayer is made for dismissal of the bail application.

7. I have considered the rival submissions of both sides.

8. There is no dispute to the fact that as per prosecution case, the applicant was nominated after his name is disclosed by co-accused Sarabjit Kaur @ Sarbi. Moreover, the disclosure made by a co-accused is not liable to be rejected out rightly.

9. At this stage, the Court cannot say that the accused/applicant is innocent or that he will not indulge in such activity in future as he has already been nominated in more than 07 cases and recovery was also effected from his possession in few cases, which shows that he is habitual offender. The allegations against the accused/applicant are well founded at this stage. In case, such habitual offenders are released, it will give rise to more such offences against the society. Therefore, no ground for grant of

regular bail to the accused/applicant is made out at this stage and as such, the present bail application is hereby dismissed. Police record be returned forthwith. Bail application file be tagged with challan of this case.

Pronounced in open Court.
Dated: 21.07.2025

(Deepika Singh)
Judge, Special Court,
Bathinda
(UID No. PB-0222).

Prem Kumar

(Deepika Singh)
Judge Special Court,
Bathinda/UID No.PB00222