

**IN THE COURT OF RAVI GULATI, JUDGE SPECIAL COURT
(VACATION JUDGE) GURDASPUR**

CIS No: BA-2731-2025
CNR No: PBGD010061502025
Date of Order:18.06.2025

Harpal Singh son of Mahinder Singh resident of village Khojewal,
P.O. Chahal Kalan, Tehsil Batala, District Gurdaspur.

.....Accused/Applicant.

Versus

State of Punjab

.....Respondent.

**FIR No.0081 dated 20.05.2025
U/S 22/27-A/29 of NDPS Act
Police Station:-City Batala**

First Bail application under Section 483 BNSS

Present: Sh. Rakesh Kumar Nadala Advocate counsel for
accused/applicant.
Sh. Aman Mohindru, APP for State.

ORDER

File put up before me being Vacation Judge. Present bail application has been filed by accused/applicant Harpal Singh son of Mahinder Singh seeking regular bail under Section 483 of BNSS. Lovepreet Kaur who is stated to be wife of accused/applicant has also furnished her affidavit to the effect that this is first bail application of the accused/applicant filed under section 483 BNSS.

2. Upon notice, learned APP for the State put in appearance and contested the bail application. Police record was requisitioned and perused. ASI Palwinder Singh No. 2297/BTL P.S. City Batala has appeared along with the record and suffered statement that no other bail application of accused/applicant is pending in any other court in this FIR. He further stated that initially 45 loose intoxicating tablets and Rs.700/- drug money were recovered from main accused Anil Deep Singh and upon his disclosure statement, present accused/applicant was nominated and arrested. Consequently upon his arrest, 40 loose intoxicating tablets were also recovered from his possession and report of Chemical examination of said tablets is still awaited.

3. Learned counsel for the accused/applicant submitted that he is innocent and has been falsely implicated in the present case and nothing was recovered from his possession and the alleged recovery is planted one. He also argued that moreover report of the chemical examination tablets in question has not been received so far. On these grounds, he prayed that accused/applicant be granted interim bail till the receipt of report of chemical examination.

4. On the other hand, learned APP for the State argued that the accused/applicant is not entitled to concession of bail because as per the allegations, 40 intoxicating tablets were found from his

possession after he was nominated. Thus he prayed for dismissal of the present bail application.

5. After hearing learned counsel for the accused/applicant, learned APP for the State and after going through the record, this court finds out that the present FIR was initially registered against Anildeep Singh on 20.05.2025 after he was found in possession of 45 loose intoxicating tablets by the police party of P.S. City Batala. Since he failed to produce any license or prescription to keep those tablets, he was accordingly arrested. As per the police record, he suffered disclosure statement and nominated present applicant/accused being supplier of tablets to him and accordingly, he was also arrested and consequent upon arrest, 40 loose intoxicating tablets were also recovered from his possession. Apart from those tablets, no drug money was recovered from his possession and thus rigours of section 27-A of NDPS Act are not attracted against him. Present applicant is in custody since 21.05.2025. Admittedly, the report of the chemical examination of the tablets in question has not been received so far. Till the receipt of report of chemical examiner, it cannot be ascertained whether the tablets allegedly recovered from accused/applicant contained any salt falling under NDPS Act or not. The file is also silent about the average weight of the tablets in question at this stage and therefore, it can also not be ascertained

whether the salt, if any, is of commercial quantity or not. Therefore, in view of law laid down by Hon'ble Punjab & Haryana High Court in case titled **Inderjeet Singh @ Laddi Vs. State of Punjab 2014(3) RCR (Criminal) 953** present accused/applicant is hereby admitted to **interim bail** till the receipt of report of Chemical Examiner on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount subject to the following conditions:-

1. That he shall not hinder the ongoing investigation;
2. That he shall not leave the country without prior permission of the Court;
3. That he shall not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the Court or police;

On the receipt of Chemical Examiner report, the same be immediately brought to the notice of this court and accused be also intimated about the report through special messenger by the Investigating Officer. However, it is also made clear that in case it is found from the report of the chemical examination that the recovered articles falls within the limit of commercial quantity, the present order granting interim bail to the accused will cease to operate and would stand vacated automatically and accused would have to surrender and to be taken into custody. Application for interim bail is

hereby allowed accordingly. Police record be returned. File be sent to concerned court immediately and it be tagged with the remand papers.

Pronounced

Dated:-18.06.2025.

Seema Shahria, Stenographer-II

(Ravi Gulati)

Judge Special Court (Vacation Judge),

Gurdaspur (UID No. PB0242)