

**IN THE COURT OF BISHAN SAROOP,
JUDGE, SPECIAL COURT, MOGA (UID No.PB00449).**

CNR No.PBMO010071272025

CIS Filing No.BA/2999/2025

Date of order : 23.09.2025.

State

Versus

Gurveer Singh son of Gurpreet Singh resident of Bhattha Basti, Phoole Wala
Vehra, village Manuke, District Moga.

---Accused-applicant

FIR No.188 dated 20.08.2025,
Under Sections :- 21/29/61/85 of NDPS Act,
Police Station :- Baghapurana.

Bail Application under Section 483 of B.N.S.S.

Present :- Sh. Ramesh Grover Advocate for accused-applicant.
Sh. Amandeen Adiwal, Addl. Public Prosecutor for State

ORDER

Vide this order, I shall dispose of the instant application for bail filed by the above referred applicant-accused under Section 483 of B.N.S.S.

2. In pursuance of the notice of the application having been issued, learned Addl. Public Prosecutor, has put in appearance for the State and record has also been produced.

3. Tersely put, case of prosecution is that on 20.08.2025, co-accused Jinder Singh alias Jot was apprehended by the police party headed by SI Mangal Singh on the basis of suspicion. Upon search of transparent polythene bag thrown by him, it was found to be containing 20 grams of Heroin. During investigation, applicant/accused was nominated in the present case under Section 29 of the NDPS Act on the disclosure statement of co-accused. Thereafter, accused/applicant was arrested in this case on 21.08.2025.

4. Learned counsel for the accused/applicant has contended that accused/applicant has been falsely implicated in this case under Section 29 of the NDPS Act on the basis of disclosure statement of co-accused. He also submitted that accused/applicant was not named in the FIR. He further submitted that accused/applicant was arrested in this case 21.08.2025 and since then he is in judicial custody. He further submitted that nothing is to be recovered from the accused/applicant as alleged recovery of 20 grams of Heroin had already been recovered from the possession of the co-accused Jinder Singh alias Jot. He has further submitted that presentation of challan and the conclusion of the trial will also take long time, so no useful purpose will be served by detaining the accused/applicant in judicial lock up. As per alleged allegation of prosecution, no offence against the accused/applicant has been made out. Accused/applicant undertake to abide by the directions issued by this Court. He lastly prayed that accused/applicant may kindly be released on bail.

5. Per contra, learned Additional Public Prosecutor for the State has hotly opposed the submissions of learned counsel for the applicant. He further contended that if the accused/applicant will be released on bail then he will tamper the evidence and as such, he is not entitled for regular bail and present application be dismissed.

6. After hearing rivals contentions raised by learned counsel for the applicant and learned Addl. PP for the State, I have gone through the record very carefully.

7. Having heard the contentions of rival parties and without expressing any opinion on the merits of the case, I am of the view that the contention of learned counsel for the applicant that the applicant has been falsely implicated in the present case, is debatable point. Recovery of 20 grams of Heroin has already been effected from co-accused Jinder Singh alias Jot, which falls into non commercial quantity. The accused/applicant was nominated in this case on the disclosure statement of co-accused Jinder Singh alias Jot vide rapat No.26 dated 21.08.2025. The presentation of challan and conclusion of trial will take long time. Since, the accused/applicant is in custody since long time and in view of the fact that

the applicant has already spent considerable time in pre-trial custody, and the fact that the conclusion of trial may take reasonable time to decide, so no useful purpose shall be served by keeping the accused-applicant in custody any longer. Moreover, the applicant-accused is a burden on the public exchequer, as no work can be taken from him in the jail, under rules. Hence, the present application succeeds and the same is allowed, and the applicant/accused is ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like sum, to the satisfaction of this Court with the following directions:-

1. That the applicant will not tamper with the prosecution evidence.
2. That the applicant will appear before the Court on each and every date of hearing.
3. That the applicant will not leave country without prior permission of court.

8. It is further made clear that in case of any violation thereof, this order shall cease to have effect qua the same. Bail application file be attached with the remand papers.

Pronounced.
Dated :- 23.09.2025.
Sunny Stenographer-II

(Bishan Saroop)
Judge, Special Court,
Moga (UID No.PB00449).

State Vs. Gurveer Singh

Present :- Sh. Ramesh Grover Advocate for accused-applicant.
Sh. Amandeep Adiwal, Addl. Public Prosecutor for State

Record received. Arguments heard. Vide my separate detailed order of even date, present bail application has been allowed. Bail papers be annexed with the remand papers.

Pronounced.
Dated :- 23.09.2025.

Sunny Stenographer-II

(Bishan Saroop)
Judge, Special Court,
Moga (UID No.PB00449).