

**IN THE COURT OF MANDIP SINGH DHILLON,
JUDGE, SPECIAL COURT, MANSA**

Case Type : BA (Bail Application)
CIS Case No. : BA/3/2023
CNR No. : PBMN010000112023
Date of registration : 02.01.2023
Date of Decision : 09.01.2023

State

Versus

Jaspal Singh @ Pali son of Chhota Singh son of Bakshi Singh,
resident of village Bachhoana, Tehsil Budhlada, District Mansa,
now confined at District Jail, Mansa.

... Applicant/ accused.

FIR No.127 dated
24.07.2022 U/s 22 and
27 of NDPS Act,
P.S. City-1 Mansa.

**(FIRST APPLICATION FOR BAIL UNDER
SECTION 439 CR.PC)**

Present: Shri K.C. Garg, Advocate, for the
applicant/accused.
Shri P.S. Chahal, Ld. Addl. PP for the State.

ORDER

1. Accused/ applicant Jaspal Singh @ Pali has filed the present bail application under section 439 Cr.PC in case FIR No.127 dated 24.07.2022 U/s 22 and 27 of NDPS Act, P.S. City-1 Mansa.

2. Accusation leading to the registration of the FIR above said, are that on 24.07.2022, ASI Dalel Singh received information from ASC Jagjit Singh that ASI Avtar Singh alongwith police party was going in connection with the patrolling and when the police party was some distance ahead of gate of Boys School, Mansa, one person was seen coming. He was carrying envelope in his right hand. On seeing the police party, he got perplexed and tried to take U-turn. He was apprehended by the police party on the suspicion that he might be carrying some narcotic substance. On receiving the information, ASI Dalel Singh alongwith police party reached at the spot and enquired from the apprehended person who disclosed his name as Jaspal Singh @ Pali son of Chhota Singh son of Bakshi Singh, resident of village Bachhoana. Recovery of 1200 tablets of Alprasafe 0.5 was effected from his possession. He was arrested in the present case.

3. It has been argued by learned defence counsel for the on behalf of the accused/ applicant that he is innocent and has been falsely implicated in the present case. He is in custody since 24.07.2022. On these averments besides usual grounds, the accused/applicant was asked to be released on bail.

4. The application has been opposed by the learned Addl. PP for the State.

5. I have heard the arguments of learned counsel for the applicant/accused, learned Addl. PP for the State and have gone through the police record with their able assistance.

6. As per the allegations of the prosecution, on 24.07.2022, the accused/ applicant Jaspal Singh @ Pali was found in possession of 1200 tablets of Alprasaft 0.5. Report of Chemical Examiner has been received. By going through the Report of Chemical Examiner, it reveals that one parcel containing 10 tablets of Alprasaft 0.5 on being analyzed by the Chemical Analyst, the ingredients of that parcel were found containing Alprazolam. The weight of each tablet was 121.92 mg and thus, the total weight of 1200 tablets comes to $1200 \times 121.92 \text{ mg} / 1000 = 146.30 \text{ gms}$ approximately of intoxicant substance containing Alprazolam. The salt "Alprazolam" is mentioned at serial No.178 of the table in NDPS Act. The contraband recovered from the accused falls under commercial quantity as per provision of the NDPS Act. Challan has been presented in the Court and is pending for evidence of prosecution. The allegations against the applicant/accused are very serious in nature which needs no leniency at this stage. Making it clear that drug peddlers have successfully destroyed the social fabric of our society and led youth on the wrongful path. Such type of persons are required to

be dealt with firmly and sternly. Sympathy could not be shown to them lest it proved to be counterproductive and resulted in an increase in drug trafficking. With deep concern, it is pointed out that the organized activities of the underworld led to drug addiction among a sizeable section of the public, particularly the adolescents and students of both sexes and the menace has assumed serious and alarming proportions in the recent years. Therefore, in order to effectively control and eradicate this proliferating and booming devastating menace, causing deleterious effects and deadly impact on the society as a whole. This court finds no justification to grant bail to the applicant/ accused. Hence, without commenting upon the merits of the case, the bail application under reference filed by the applicant/ accused Jaspal Singh @ Pali is dismissed. Police record be returned and the papers of this bail application be tagged with main file.

Pronounced

Dated: 09.01.2023

**(Mandip Singh Dhillon),
Judge, Special Court, Mansa.
(UID: PB0115)**

**Avinash
Stenographer G-I**

Present: Shri K.C. Garg, Advocate, for the
applicant/accused.
Shri P.S. Chahal, Ld. Addl. PP for the State.

Arguments heard. Vide my separate detailed order of
even date, the bail application moved by the accused/ applicant
for bail has been dismissed. Police record be returned and the
papers of this bail application be tagged with main file.

Pronounced

Dated: 09.01.2023

**(Mandip Singh Dhillon),
Judge, Special Court, Mansa.
(UID: PB0115)**

Avinash
Stenographer G-I