

IN THE COURT OF SH. KARAMJIT SINGH SULLAR
JUDGE SPECIAL COURT, HOSHIARPUR
UID NO. PB0141

CIS No. BA/2630/2025
 CNR No. PBH001007762-2025
 Date of order: 28.10.2025

Jashandeep Singh @ Dhakkar aged 18 years son of Manjit Singh resident of village Padda District Gurdaspur.

.....Applicant-accused

Versus

State of Punjab

..... Respondent.

FIR No. 33 dated 17.3.2025
 U/s 22,29 of ND&PS Act and Section 111 BNS
 and 25 of Arms Act.
 Police Station: Bullowal Distt. Hoshiarpur.

(THIRD APPLICATION FOR REGULAR BAIL U/s 483 BNSS)

Present: Sh. S.S Kotli Advocate for applicant-accused
 Sh. Varinder Kumar Public Prosecutor for the State.

ORDER:

1. This order of mine shall dispose of third application for regular bail, filed by applicant/accused, in the above noted case.

2. As per case of the prosecution in brief, on 17.3.2025, ASI Kulwinder Singh of P.S Bullowal alongwith other police officials was present at Bus stand Dhamian Kalan in connection with patrolling duty and checking of suspicious persons, where he had received secret information that Sunil Kumar @ Sunil son of Satnam Singh resident of Talwandi Aarayian PS Bullowal District Hoshiarpur, Rajinder Singh @ Jindu son of Subeg Singh and Jashandeep Singh @ Dhakkar son of Manjit Singh both

Karamjit Singh Sullar
Judge Special Court
Hoshiarpur/UID PB0141

residents of village Padda PS Dera Baba Nanak are in the business of selling intoxicant substances on motorcycle bearing No. PB-07-AT-6678 and today, they are waiting for their customers while standing near Gurudwara village Dhamian Kalan and if the raid is conducted, then they can be apprehended alongwith intoxicant substance. Then, ASI Kulwinder Singh alongwith police party had reached at the disclosed place and saw that in the street, three persons were standing with motorcycle, who on seeing the police party tried to flee away on the said motorcycle, but they were apprehended. On asking, driver of motorcycle had disclosed his name as Sunil Kumar @ Sunil son of Satnam Singh resident of Talwandi Aarayian PS Bullowal District Hoshiarpur, the person, sitting in the middle, had disclosed his name as Rajinder Singh @ Jindu son of Subeg Singh resident of village Padda PS Dera Baba Nanak District Batala and the pillion rider had disclosed his name as Jashandeep Singh @ Dhakkar son of Manjit Singh resident of village Padda PS Dera Baba Nanak District Batala. During search of Sunil Kumar @ Sunil, one computer weighing scale was recovered from the right pocket of his pant. During search of Rajinder Singh @ Jindu, one polythene envelop containing intoxicant powder was recovered from the right pocket of his lower, which on weighing came out to be 40 grams and during search of Jashandeep Singh @ Dhakkar, one polythene envelop containing intoxicant powder was recovered from the right pocket of his pant, which on weighing came out to be 35 grams. Accordingly, FIR U/s 22 of NDPS Act was registered against the accused.

The applicant-accused was arrested in this case. Hence, this application for regular bail.

3. The learned counsel for applicant-accused argued that nothing was recovered from the applicant-accused, rather he is falsely implicated in this case. The applicant-accused is in custody since 17.3.2025 and nothing is to be recovered from him. He further contended that now challan has been presented in the Court and conclusion of trial shall take sufficient long time and no useful purpose would be served by keeping the accused behind the bars. So, it is prayed that accused may be released on bail.

4. On the other hand, the learned Public Prosecutor for the State opposed the bail application on the ground that first application for regular bail moved by the applicant-accused has already been dismissed by this Court vide order dated 2.5.2025 and the second application for regular bail filed by the applicant-accused was dismissed as withdrawn vide order dated 16.9.2025. Now, no further ground is made out to release the accused on bail as the recovery of contraband effected from the applicant-accused falls in the category of commercial quantity.

5. I have heard the arguments advanced by Learned counsel for the applicant-accused as well as Learned Public Prosecutor for the State and also perused the police record.

6. Perusal of file shows that first application for regular bail filed by the applicant-accused has already been dismissed by this Court vide order dated 2.5.2025 and the second application for regular bail filed by the applicant-accused was dismissed as withdrawn vide order dated 16.9.2025. The

contention of the Ld. counsel for applicant-accused that now challan has been presented in the Court and the applicant-accused is entitled to regular bail, is not sustainable. The trial is at its initial stage. The presentation of challan is not a changed circumstance. The present third bail application, so far as the allegations are concerned is on the same set of allegations. Moreover, as per case of prosecution, 35 grams intoxicant powder was recovered from the applicant-accused. As per report of Chemical Examiner, the intoxicant powder recovered from the applicant-accused is containing salt *Etizolam*, as such, the alleged recovery of intoxicant powder from the applicant-accused falls in the category of commercial quantity. Hence, considering the facts, circumstances, seriousness and gravity of the offence as discussed above, applicant-accused is not entitled to the benefit of regular bail. Thus, the present third application for regular bail filed by applicant-accused stands dismissed.

7. The observations made by this Court while deciding this bail application are only for the limited purpose of adjudication of the present bail application, as such, are not to be construed as an expression on the merits of the case (criminal trial). File of bail application be attached with the main case.

Announced in open Court:

Dated: 28.10.2025.

Kulvinder Singh JW

(Karamjit Singh Sullar),

Judge Special Court

Hoshiarpur

UID No. PB0141

Karamjit Singh Sullar

Judge Special Court

Hoshiarpur/UID PB0141