

**In the Court of Bagicha Singh,
Additional Sessions Judge, Sangur.
UID Number PB0264**

BA No. 2952/01.10.2024.
CIS No. PBSG010084712024.
Decided On: 10.10.2024.

Lakhvir Singh alias Laddi aged 31 years son of Surjit Singh resident of village Jolian, Tehsil Bhawanigarh, District Sangrur. (Now confined in New Jail, Nabha).

...Applicant/accused.

Versus

State of Punjab

AND

BA No. 2954/01.10.2024.
CIS No. PBSG010084652024.
Decided On: 10.10.2024.

Takha Singh aged about 29 years son of Shingara Singh resident of village Jollian, District Sangrur now confined in District Jail, Sangrur).

...Applicant/accused.

Versus

State of Punjab

FIR No. 25 dated 12.02.2024
Under Sections 15/29/61/85 NDPS Act,
Police Station STF, SAS Nagar Mohali.
Bail Application u/s 483 BNSS.

Present: Shri R. K. Guliani Advocate, for applicant/accused Lakhvir Singh.
Shri P.S.Sidhu Advocate, for applicant/accused Takha Singh.
Shri Munish Singla, APP for the State.

ORDER

(Bagicha Singh)
JSC, Sangrur.
UID No. PB0264

This order of mine shall dispose off two bail applications, one filed by Lakhvir Singh accused/applicant and another filed by Takha Singh accused/applicant for grant of regular bail.

2. Counsel for the accused/applicants submitted that accused/applicants have been falsely implicated in this case. They have not committed any offence. He further submitted that accused/applicant Lakhvir Singh is in custody since 17.08.2024 and accused/applicant Takha Singh is in custody since 18.05.2024. FSL report has been received. The presentation of challan and conclusion of trial will take time. No useful purpose would be served by keeping the accused/applicants behind the bar for an indefinite period. So, they be released on bail.

3. On the other hand, APP for the State opposed the bail application on the ground that heavy quantity is recovered from accused and co-accused and total recovery is 237 kg poppy husk. He submitted that so many people are involved in this case. He submitted that poppy husk recovered from the accused are of commercial quantity. So as per section 37 of NDPS Act, accused are not entitled for any bail. So, bail application be dismissed.

4. After hearing the arguments of learned APP for the State and learned counsel for the accused, I have perused the police file.

5. The allegations against accused are on 12.02.2024, a secret information was received that Takha Singh, Jagga Singh and 2/3 unknown persons are doing the business of sale and purchase of poppy husk and on the secret information, FIR against accused/applicants was registered. SI

Nirmal Singh alongwith police party was in search of bad elements and one km near to the Mehlan chowk where two vehicles i.e. one XUV black colour and another XUV silver colour were parked and 4/5 people were loading the bags in the vehicles. When SI stopped near these vehicles, then the people ran away from the spot on the vehicles bearing no. PB-13BB-8729 and PB-10-3200. Takha Singh was driving the vehicle bearing no. PB-13BB-8729 and Jagga Singh was driving the vehicle bearing no. PB-10-3200. Then SI went in the fields near the road and saw that eight plastic bags are lying and these eight bags were containing 20 kg each which were taken into police possession. SI again received information that vehicle bearing no. PB-13BB-8729 make XUV black colour is parked near river Bhakhra and black bags are lying in the vehicle. Then SI reached near river Bhakhra where they saw that vehicle bearing no. PB-13BB-8729 make XUV black colour was parked and nobody was there. Then he reached near the vehicle and found that three plastic bags were lying in it which were containing 20 kg each poppy husk. On 18.05.2024 accused Takha Singh was arrested and during investigation, he disclosed that Jagtar Singh alias Taru is also selling the poppy husk in his village. So, Jagtar Singh is also implicated in this case under section 29 of NDPS Act. Since, the total recovery in this case is 237 kg poppy husk. Recovery is of commercial quantity. So, they are not entitled for bail. Accordingly, bail application is dismissed. However, it is made clear that observation made herein above shall not be construed as an expression on the merits of main case. Copy of this order be placed in the connected file titled as

Takha Singh Vs. State BA/2954/01.10.2024. The bail application files be attached with the remand papers.

Pronounced in open Court
Dated:10.10.2024

Bagicha Singh
Judge, Special Court,
Sangrur.
UID No. PB0264.

Shama, Stenographer

(Bagicha Singh)
JSC, Sangrur.
UID No. PB0264