

**IN THE COURT OF SHRI PUSHVINDER SINGH, UID No.PB0116 ,
ADDITIONAL SESSIONS JUDGE, AMRITSAR.**

BAIL APPLICATION NO. : 2951 OF 2020
CNR NO. : PBAS01-006509-2020
DATE OF INSTITUTION : 03.07.2020
DATE OF ORDER : 20.07.2020

STATE Vs Pawan Kumar aged about 20 years, actually son of Bau Ram, resident of House No.2900, Gali No.3, Ram Tirath Road, Putlighar, Amritsar, but wrongly mentioned as son of Kalu Ram, resident oif Gali No.7, Indira Colony, Kot Khalsa, Amritsar.

APPLICANTS-ACCUSED

FIRST INFORMATION REPORT NO. : 57 of dated 25.06.2019

UNDER SECTIONS : 21,25,29/61/85 of Narcotic Drugs and Psychotropic Substances Act, 1985

POLICE STATION : S.T.F. S.A.S.Nagar, Mohali.

First Bail application under section 439 Cr.P.C.

PRESENT:-Sh. Rajan Sharma, Counsel for applicant-accused.

Shri Ashok Kumar, Additional P.P. for State.

ORDER

1. This application has been filed by applicant-accused Pawan Kumar, aforesaid, for regular bail stating that he is absolutely innocent into the matter and has not committed any alleged offence. He was lifted from his house under some mistaken identity. Nothing has been recovered from

the applicant-accused.

2. Notice of bail application was issued to the State. Learned Addl.P.P appeared on behalf of the State and opposed the bail application. Investigating Officer also came present along with police file.

3. I have heard learned counsel for the applicant-accused, learned Additional Public Prosecutor for State and gone through the Police file.

4. From the perusal of the Police file I find that this case was got registered by ASI Gurwinder Singh that a Police party headed by him were present at Gawal Mandi, Chowk, Ram Tirath Road, Amritsar, in connection with search of smugglers of narcotics drugs. Then Inspector Vermeet Singh alongwith other Police officials met them and he informed that Gaurav Sharma, Ashwani Kumar alias Jalebi, Pawan Kumar, Rajinder Singh alias Raju, are indulged in selling Heroin at large scale and today they are traveling on Careta Car bearing registration No.PB02 DP 5535 and they have Heroin in their possession and are searching for purchasers. Thereafter the case was got registered and a naka was installed at Ram Tirath Road, Amritsar near Bhari Chowk, Where Careta Car was apprehended and in the presence of Sohan Singh, PPS, Deputy Superintendent of Police, STF, Border Range, Amritsar, 50 grams Heroin and an amount of Rs.1,16,000/- as drugs money were recovered from Pawan Kumar, 255 grams Heroin was recovered from Ashwani Kumar alias Jalebi. During investigation, accused Pawan Kumar and Ashwani Kumar confessed that they have brought the heroin from Sushil Kumar Chore son of Revti Parshad, resident of Bore Talai, Tehsil Itrasi, District Hoshangabad, Madhya Pradesh. Sushil Kumar

was also apprehended, who was employed in BSF and he disclosed that he has suppressed three packets of Heroin in the barrack of 5th Battalion, BSF Headquarters, Khassa, Amritsar and on the basis of the disclosure statement, he got recovered Heroin. All five accused persons were arrested and from them total 1Kg-320 grams Heroin was recovered. The case has been registered against five accused persons under sections 21,25,29/61/85 of Narcotic Drugs & Psychotropic Substances Act,1985. Accordingly, I find that the allegations against the applicant-accused are very serious as he is a member of gang of smugglers, who are indulged in the sale purchase of the Heroin in the area. Accordingly he cannot be granted concession of bail. So, the application is hereby dismissed. Papers be placed on the record.

PRONOUNCED IN OPEN COURT.

DATED : 20.07.2020

***(PUSHVINDER SINGH)
ADDITIONAL SESSIONS JUDGE,
AMRITSAR
UID No.PB0116***

Surinder Kaur
STENOGRAPHER, GRADE-I

BAIL APPLICATION NO. : 2951 OF 2020

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STATE V Pawan Kumar

PRESENT:-Sh. Rajan Sharma, Counsel for applicant-accused.

Shri Ashok Kumar, Additional P.P. for State

Notice of bail application was issued to the State. Learned Addl.P.P appeared on behalf of the State and opposed the bail application. Investigating Officer also came present along with police file.

Arguments heard. Vide my separate detailed order of even date, present bail application dismissed. Papers be placed on the record.

PRONOUNCED IN OPEN COURT.

DATED : 20.07.2020

**(PUSHVINDER SINGH)
ADDITIONAL SESSIONS JUDGE,
AMRITSAR
UID No.PB0116**

Surinder Kaur
STENOGRAPHER, GRADE-I